

**WSR 10-04-036**  
**PROPOSED RULES**  
**OFFICE OF**  
**FINANCIAL MANAGEMENT**

[Filed January 27, 2010, 10:52 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 08-21-089.

Title of Rule and Other Identifying Information: Regulating health and welfare self-insurance requirements as to local governments.

Hearing Location(s): Washington Cities Insurance Authority, 320 Andover Park East, Tukwila, WA 98138, on March 25, [2010,] at 10:00 a.m.

Date of Intended Adoption: May 1, 2010.

Submit Written Comments to: Roselyn Marcus, Office of Financial Management, P.O. Box 43113, Olympia, WA 98504-3113, e-mail Roselyn.Marcus@ofm.wa.gov, fax (360) 664-2832, by March 18, 2010.

Assistance for Persons with Disabilities: Contact Lillian Austin by March 18, 2010, TTY (360) 902-0679 or (360) 902-0533.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: When chapter 82-60 WAC was updated for the property and liability local government self-insurance (LGS) programs, the standards for health and welfare (H/W) programs were removed, to be placed in its own WAC chapter. These two programs have become different, requiring standards that specifically address regulatory requirements for each type of program independently. As a result, temporary guidelines were put into place while engaging in rule making as prescribed in chapter 34.05 RCW.

LGS programs have operated under temporary guidelines. This has led to confusion among the programs in determining what standards apply. Also, the rules were not specific enough as to each type of program. Given changes in the insurance, economic and legal environment, oral waivers from rules and guidelines requirements were provided to some programs, creating further confusion due to lack of written documentation.

The state risk manager is required to adopt rules which create standards for solvency, management, operations and certain contracts. The office of financial management (OFM), working with the H/W advisory board, has created this separate proposed chapter 82-65 WAC, which (1) creates a separate set of rules for H/W programs, (2) replaces temporary guidelines with updated rules specific to both individual and joint health and welfare programs, and (3) removes the provision for waivers from rules and guidelines and allows the state risk manager to consistently regulate all programs.

Reasons Supporting Proposal: The removal of the rules for individual and joint health and welfare programs from chapter 82-60 WAC and their resulting placement in a separate chapter will allow all individual and joint health and welfare programs to clearly identify standards that apply to those programs in a newly created separate chapter. By creating rules, rather than guidelines, local government wishing to form new programs will be able to easily locate the specific regulations which apply to their programs in the rules, as pre-

scribed in RCW 48.62.061. Because these rules will clearly identify standards specific to each type of program, compliance with regulations will improve, regulation will be consistent, and waivers will no longer be necessary.

Statutory Authority for Adoption: RCW 48.62.061.

Statute Being Implemented: Chapter 48.62 RCW.

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: To obtain a copy of the rules, or to submit written comments on the rules, please contact either Shannon Stuber at shannon.stuber@ofm.wa.gov, phone (360) 902-7311, or Roselyn Marcus at roselyn.marcus@ofm.wa.gov, phone (360) 902-0568.

Name of Proponent: OFM, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Shannon Stuber, General Administration Building, P.O. Box 41027, Olympia, (360) 902-7311.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The implementation of these rules have no or minimal cost to small business.

A cost-benefit analysis is not required under RCW 34.05.328. OFM is not an agency listed in RCW 34.06.328 [34.05.328] (5)(a)(i). Further, OFM does not voluntarily make section 201 applicable to this rule adoption nor to date, has JARRC made section 201 applicable to this rule adoption.

January 27, 2010

Roselyn Marcus

Director of Legal Affairs

Rules Coordinator

### Chapter 82-65 WAC

#### LOCAL GOVERNMENT SELF-INSURANCE HEALTH AND WELFARE PROGRAM REQUIREMENTS

##### NEW SECTION

**WAC 82-65-010 Preamble and authority.** These rules governing local government self-insurance transactions are adopted by the state risk manager to implement chapter 48.62 RCW relating to the management and operations of both individual and joint local government health and welfare benefit self-insurance programs.

##### NEW SECTION

**WAC 82-65-020 Definitions.** (1) "Actuary" means any person who is a member of the American Academy of Actuaries.

(2) "Assessment" means the moneys paid by the members to a joint self-insurance program.

(3) "Beneficiary" means any individual entitled to payment of all or part of a covered claim under a local government health and welfare self-insurance program.

(4) "Broker of record" means the insurance producer licensed in the state of Washington who, through a contractual agreement with the self-insurance program, procures insurance on behalf of the self-insurance program.

(5) "Claim" means a demand for payment for the delivery of a covered service or services.

(6) "Claim adjustment expense" means expenses, other than claim payments, incurred in the course of processing and settling claims.

(7) "Claims auditor" means a person who has the following qualifications:

(a) Has experience in auditing the same manner of claims filed against the program being audited;

(b) Provides proof of professional liability insurance; and

(c) Provides a statement that the auditor is independent from the program being audited, its brokers and third-party administrators.

(8) "Competitive process" means a formal sealed, electronic, or web-based bid procedure, used by joint self-insurance programs consisting of multiple entity types, for all non-claims related purchases for goods and services over fifty thousand dollars. For purchases between five thousand dollars and fifty thousand dollars, competitive process means quotations obtained from at least three vendors by telephone or written quotations, or both, and supported by evidence of competition. Purchases up to five thousand dollars are exempt from competitive bids providing procurement is based on obtaining maximum quality at minimum cost.

(9) "Competitive solicitation" means a documented formal process requiring sealed bids, providing an equal and open opportunity to qualified parties and culminating in a selection based on criteria which may include such factors as the consultant's fees or costs, ability, capacity, experience, reputation, responsiveness to time limitations, responsiveness to solicitation requirements, quality of previous performance, and compliance with statutes and rules relating to contracts or services.

(10) "Consultant" means an independent individual or firm contracting with a self-insurance program to perform actuarial, claims auditing or third-party administration services, represent the program as broker of record, or render an opinion or recommendation according to the consultant's methods, all without being subject to the control of the program, except as to satisfaction of the contracted deliverables.

(11) "Contingent reserve policy" means a policy adopted by the governing body of an individual or joint program which establishes the amount of money (contingent reserves) necessary to fund the termination costs of the program and to insulate the program against unusual severity or frequency of claims.

(12) "Contingent reserves" means:

(a) For joint programs, an amount of money equal to eight weeks of program expenses as stated in the contingent reserve policy established by ordinance or resolution of the governing body;

(b) For individual programs, an amount of money equal to eight weeks of program expenses as recommended by the state risk manager or equal to a different amount as stated in

the contingent reserve policy established by ordinance or resolution of the governing body.

(13) "Contribution" means the amount paid or payable by the employee into a health and welfare self-insurance program.

(14) "Governing body" means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency, or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment.

(15) "Individual self-insurance program" means a formal program established and maintained by a local government entity to provide advance funding to self-insure health and welfare benefits on its own behalf as opposed to risk assumption, which means a decision to absorb the entity's financial exposure to a risk of financial loss without the creation of a formal program of advance funding of anticipated losses.

(16) "Interlocal agreement" means an agreement joining local government members of a self-insurance program that is established under the Interlocal Cooperation Act defined in chapter 39.34 RCW.

(17) "Joint self-insurance program" means any two or more local government entities which have entered into a cooperative risk sharing agreement pursuant to the provisions of the Interlocal Cooperation Act (chapter 39.34 RCW) and/or subject to regulation under chapter 48.62 RCW.

(18) "Member" means a local government entity that:

(a) Is a signatory to a joint insurance program's interlocal agreement;

(b) Agrees to future assessments or reassessments as part of the program's joint self-insurance program; and

(c) Is a past or present participant in a joint self-insurance program subject to regulation under chapter 48.62 RCW.

(19) "Program liability" means an amount as of fiscal year end determined by each program to be either:

(a) Eight weeks of total program expenses based on total program expenses paid during the previous year; or

(b) The program's liability as determined by an actuary.

(20) "Program reserves" means moneys set aside to pay expenses of an individual or joint self-insurance program.

(21) "Reassessment" means additional moneys paid by the members to a joint self-insurance program.

(22) "Risk sharing" means a decision by the members of a joint self-insurance program to jointly absorb certain or specified financial exposures to risks of loss through the creation of a formal program of advance funding of anticipated losses; and/or joint purchase of insurance as a member of a joint self-insurance program formed under chapter 48.62 RCW.

(23) "Self-insurance program" means any individual or joint local government entity self-insurance program required by chapter 48.62 RCW to comply with this chapter.

(24) "Services" means administrative, electronic, management, training, wellness or other ongoing significant support services which do not include the participation in or purchase of the pool's commercial or self-insured insurance programs.

(25) "Stop-loss insurance" means a promise by an insurance company that it will cover losses of the entity it insures

over and above an agreed-upon individual or aggregated amount.

(26) "Termination cost" means an estimate of the program's liabilities at the time the program ceases to operate, which shall include, at a minimum, final claim payments, claim adjustment expenses, unallocated loss adjustment expenses, and costs attributed to increased utilization.

(27) "Third-party administrator" means an independent association, agency, entity or enterprise which, through a contractual agreement, provides one or more of the following ongoing services: Program management or administration services, claims administration services, risk management services, or services for the design, implementation, or termination of an individual or joint self-insurance program.

(28) "Unallocated loss adjustment expense (ULAE)" means costs that cannot be associated with specific claims but are related to the claims adjustment process, such as administrative and internal expenses related to settlement of claims at the termination of the program.

#### NEW SECTION

**WAC 82-65-030 Standards for management and operation—Adoption of program.** (1) The governing body of every local government entity establishing an individual self-insurance program shall adopt the self-insurance program by resolution or ordinance.

(2) The governing body of every local government entity participating in a joint self-insurance program shall adopt the interlocal agreement of the joint self-insurance program by resolution or ordinance. The resolution or ordinance shall include, but not be limited to, an acknowledgment that the entity shall be subject to assessments and reassessments as required by the joint self-insurance program. Copies of each resolution or ordinance shall be retained by the joint self-insurance program and available for inspection by the state risk manager. The interlocal agreement, along with a list of members participating in the program, shall be published on the public web site of each joint self-insurance program. The interlocal agreement and subsequent amendments shall be filed in accordance with requirements of chapter 39.34 RCW.

#### NEW SECTION

**WAC 82-65-040 Standards for solvency—Program funding requirements.** (1) All individual and joint health and welfare programs self-insuring medical benefits shall:

(a) Establish program reserves in an amount equal to eight weeks of program expenses;

(b) Maintain an aggregate stop-loss insurance policy with an attachment point set between one hundred percent and one hundred twenty-five percent of annual claim costs; and

(c) Establish by ordinance or resolution of the governing body, an additional contingency reserve in the following amounts:

(i) For joint programs, an amount equal to at least eight weeks of program expenses;

(ii) For individual programs, an amount equal to at least eight weeks of program expenses (recommended), or a different amount approved by the state risk manager in writing.

(2) In lieu of the previous requirements stated in WAC 82-65-040(1), all individual and joint health and welfare programs self-insuring medical benefits must obtain an independent actuarial study and fund to the actuarially determined program liability.

(3) All individual and joint health and welfare programs self-insuring dental and prescription drug benefits shall establish and maintain program reserves in an amount not less than eight weeks of program expenses. An additional contingency reserve established by the governing body is recommended, but not required.

(4) All programs in existence less than one year shall establish reserves per the initial plan submitted and approved by the state risk manager.

(5) Self-insurance programs that do not meet requirements for program reserves as of the program's year end shall notify the state risk manager of the condition. The state risk manager shall require the program submit a corrective action plan within sixty days of year end. The state risk manager will notify the program in writing of denial or approval of the corrective action plan within thirty days of submission.

(6) Failure to meet the requirements of the approved corrective action plan may result in further remedial action by the state risk manager, including the service of a cease and desist order upon the program.

#### NEW SECTION

**WAC 82-65-050 Nondiscrimination in contributions.** Contribution rate schedules for individual and joint health and welfare self-insurance programs shall be consistent and nondiscriminatory among beneficiaries of the self-insurance program. This provision is not intended to prohibit choice of coverage for beneficiaries, classes of beneficiaries, or bargaining groups from several offered by the self-insurance program, or to prohibit different contribution schedules between classes of beneficiaries or bargaining groups.

#### NEW SECTION

**WAC 82-65-060 Standards for operations—Standards for management—Disclosures.** (1) All individual health and welfare self-insurance programs shall furnish each employee or retiree covered by the program with a written description of the benefits allowable under the program, together with:

(a) Applicable restrictions, limitations, and exclusions;

(b) The procedure for filing a claim for benefits;

(c) The procedure for requesting an adjudication of disputes or appeals arising from beneficiaries regarding the payment or denial of any claim for benefits; and

(d) A schedule of any direct monetary contributions toward the program financing required by the employee.

Such benefits or procedures shall not be amended without written notice to the covered employees at least thirty days in advance of the effective date of the change unless exigent circumstances can be demonstrated.

(2) All joint self-insurance programs shall ensure every member of the program receives written plan documents which describe:

(a) All coverages or benefits currently provided by the program, including any applicable restrictions, limitations, and exclusions;

(b) The method by which members pay assessments;

(c) The procedure for filing a claim; and

(d) The procedure for a member to request an adjudication of disputes or appeals arising from coverage, claim payment or denial, membership, and other issues.

Such statements shall not be amended without written notice to the members at least thirty days in advance of the effective date of the change unless exigent circumstances can be demonstrated.

#### NEW SECTION

**WAC 82-65-070 Standards for operations—Standards for management—Wellness programs.** Health and welfare self-insurance programs may offer coverage for preventative care, wellness programs, and/or other cost containment measures.

#### NEW SECTION

**WAC 82-65-080 Standards for operations—Standards for solvency—Termination provisions.** (1) Termination of a program. All individual and joint health and welfare self-insurance programs shall maintain a written plan that provides for the partial or complete termination of the program and for liquidation of its assets upon termination of the program. The termination procedure shall include, but not be limited to, a provision for the settling of all its liabilities for unpaid claims and claim adjustment expenses.

(2) Termination of members. All joint self-insurance programs shall maintain a written plan that provides for the termination of membership of a member.

#### NEW SECTION

**WAC 82-65-090 Standards for management—Standards for operations—Financial plans.** (1) All self-insurance programs shall maintain a written plan for managing the financial resources of the program. The financial plan shall include:

(a) A procedure for accounting for moneys received, payments made and liabilities of the joint program which complies with generally accepted accounting principles. For individual programs, a separate fund to account for revenues and expenses associated with the program is recommended, but not required;

(b) An investment policy which conforms to RCW 48.62.111 governing the investments of the program; and

(c) Individual self-insurance programs shall ensure the preparation and submission of accurate and timely annual financial reports to the state risk manager within one hundred fifty days of fiscal year end.

Joint self-insurance programs shall ensure the submission of unaudited financial statements as prescribed by the state auditor's office within one hundred fifty days of fiscal year end. Joint self-insurance programs shall ensure the submission of audited financial statements to the state risk manager within one year of the program's fiscal year end.

(2) No financial plan of an individual self-insurance program shall permit interfund loans from assets held against liabilities for unpaid claims and claim adjustment expenses except for those amounts which are clearly inactive or in excess of program reserve and contingency reserve requirements.

(3) No financial plan of a joint self-insurance program shall permit loans to any member.

#### NEW SECTION

**WAC 82-65-100 Standards for management—Standards for contracts—Third-party administrator contracts.** Before contracting for third-party administrator professional services, all self-insurance programs shall establish and maintain written procedures for contracting with third-party administrators. Entering a contract for services shall not relieve the governing body of the self-insurance program of its ultimate governing, managerial and financial responsibilities. The procedures shall, as a minimum:

(1) Provide a method of third-party administrator selection using a formal competitive solicitation process;

(2) Require a complete written description of the services to be provided, remuneration levels, contract period and expiration date providing for a contract term no greater than five years. The contract may include an additional one-year extension to be exercised at the discretion of the self-insurance program;

(3) Provide for the confidentiality of the program's information, data and other intellectual property developed or shared during the course of the contract;

(4) Provide for the program's ownership of the information, data, and other intellectual property developed or shared during the course of the contract;

(5) Provide for the expressed authorization of the self-insurance program, consultants to the program, the state auditor, the state risk manager, or their designees, to enter the third-party administrator's premises to inspect and audit the records and performance of the third-party administrator which pertains to the program and to obtain such records electronically with audit travel costs can be eliminated or reduced;

(6) Require the compliance with all applicable local, state and federal laws;

(7) Establish a monitoring and acceptance procedure to determine compliance with third-party administrator contract requirements; and

(8) Establish indemnification provisions and set forth insurance requirements between the parties.

#### NEW SECTION

**WAC 82-65-110 Standards for contracts—Competitive solicitation standards for consultant contracts.** Every joint self-insurance program shall use a formal competitive solicitation process in the selection of consultants. The process shall provide an equal and open opportunity to qualified parties and shall culminate in a selection based on preestablished criteria which may include such factors as the consultant's fees or costs, ability, capacity, experience, reputation, responsiveness to time limitations, responsiveness to solicita-

tion requirements, quality of previous performance, and compliance with statutes and rules relating to contracts. Bid responses, solicitation documents and evidence of publication shall be retained in accordance with laws governing public records and shall be available for review by state risk manager and state auditor.

#### NEW SECTION

**WAC 82-65-120 Standards for claims management—Claims administration.** (1)(a) All self-insurance programs shall have a written claims administration program which includes, as a minimum, claims filing procedures, internal financial control mechanisms, and claim and claim adjustment expense reports.

(b) All individual and joint health and welfare self-insurance programs shall have a written claim appeal procedure that contains, as a minimum, a time limit for filing an appeal, a time limit for response, and a provision for the second level of review.

(2) All self-insurance programs may perform claims administration services on their own behalf or may contract for claims administration services with a qualified third-party administrator, provided all of the specific requirements under subsection (1) of this section are included in the contract.

(3) All joint self-insurance programs shall maintain a financial system that identifies claim and claim adjustment expenses.

(4) All joint self-insurance programs shall maintain claim expense reports for all claims made against the joint self-insurance program and its members.

(5) All self-insurance programs offering medical coverage shall obtain a claims audit of claim reserving, adjusting and payment procedures every three years at a minimum. A claims audit shall be conducted by a qualified claims auditor not affiliated with the program, its broker of record, or its third-party administrator. Such review shall be in writing and identify strengths, areas of improvement, findings, conclusions and recommendations. Such review shall be provided to the governing body and retained for a period not less than six years. The scope of the claims audit shall include claims administration procedures listed in subsection (1) of this section.

(6) The state risk manager may require more frequent claims audits for programs that, in the state risk manager's opinion, are not operationally or financially sound. Failure to obtain the requested independent claims audit when required may result in the procurement of such audit by the state risk manager on behalf of the program. Costs of these services shall be the responsibility of the joint self-insurance program.

#### NEW SECTION

**WAC 82-65-130 Standards for management and operations—State risk manager reports.** (1) Every individual and joint health and welfare self-insurance program authorized to transact business in the state of Washington shall electronically submit the annual report to the state risk manager no later than one hundred fifty days following the completion of the program's fiscal year.

(2) Joint self-insurance programs shall electronically submit financial statements in the format prescribed by the state auditor's office. Individual programs shall electronically submit the revenue, expenses and other financial data on a form provided by the state risk manager.

(3) All individual and joint self-insurance programs maintaining less than eight weeks of claims reserves shall submit an actuarial study.

(4) All individual and joint self-insurance programs shall submit electronically a list of contracted consultants with the annual report to the state risk manager.

(5) Joint self-insurance programs shall submit electronically the following additional information as part of the annual report to the state risk manager:

(a) Details of changes in articles of incorporation, bylaws or interlocal agreement;

(b) Details of ongoing significant services provided by contract to nonmembers;

(c) List of local government members added to or terminated from the program.

(6) All individual and joint self-insurance programs not meeting reserve requirements described in WAC 82-65-040 shall submit quarterly reports in electronic form until notified by the state risk manager that reserving standards have been met.

(7) Failure to provide required financial reports may result in corrective action by the state risk manager. Such actions may include:

(a) Increase in frequency of examinations;

(b) On-site monitoring by the state risk manager;

(c) Service of a cease and desist order upon the program.

#### NEW SECTION

**WAC 82-65-140 Standards for operations—Program changes—Notification to the state risk manager.** (1) All joint self-insurance programs shall operate in the same form and manner stated in the program's original application approved by the state risk manager. Programs shall submit a written request and receive approval from the state risk manager prior to implementing the following proposed program changes:

(a) Any change in the terms of the interlocal agreement of a joint self-insurance program;

(b) Elimination or reduction of stop-loss insurance;

(c) Acceptance of any loans or lines of credit;

(d) Provision of services to nonmembers;

(e) Addition of members of other entity types than those included in original application approved by state risk manager.

(2) The following program changes require written notification to the state risk manager prior to implementing the following changes:

(a) Increases in retention level;

(b) Initial contract with a third-party administrator, or change in third-party administrator;

(c) Any change to bylaws of a joint self-insurance program.

NEW SECTION

**WAC 82-65-150 Standards for management and operations—Conflict of interest.** (1) Every individual and joint self-insurance program shall require the third-party administrator, the actuary, and the broker of record to contract separately with the self-insurance program. Each contract shall require that a written statement be submitted to the program on a form provided by the state risk manager providing assurance that no conflict of interest exists prior to acceptance of the contract by the self-insurance program.

(2) All self-insurance programs shall meet the following standards regarding restrictions on the financial interests of the program administrators:

(a) No member of the board of directors; trustee; administrator, including a third-party administrator; or any other person having responsibility for the management or administration of a self-insurance program or the investment or other handling of the program's money shall:

(i) Receive directly or indirectly or be pecuniarily interested in any fee, commission, compensation, or emolument arising out of any transaction to which the program is or is expected to be a party except for salary or other similar compensation regularly fixed and allowed for because of services regularly rendered to the program.

(ii) Receive compensation as a consultant to the program while also acting as a member of the board of directors, trustee, third-party administrator, or as an employee.

(iii) Have any direct or indirect pecuniary interest in any loan or investment of the program.

(b) No consultant or legal counsel to the self-insurance program shall directly or indirectly receive or be pecuniarily interested in any commission or other compensation arising out of any contract or transaction between the self-insurance program and any insurer, health care service contractor, health care supply provider or consultant.

(c) Brokers of record for the self-insurance program may receive compensation for insurance transactions performed within the scope of their licenses. The terms of compensation shall be provided for by contract between the broker of record and the self-insurance program, and the amount or percentage of the compensation must be disclosed in writing. Contracts between brokers of record and the self-insurance program shall include a provision that contingent commissions or other form of compensation not specified in the contract shall not be paid to the broker of record as a result of any self-insurance program insurance transactions. The self-insurance program shall establish a contract provision which requires the broker provide to the program a written annual report on a form provided by the state risk manager which discloses the actual financial compensation received. The report shall include verification that no undisclosed commission was received as a result of any such insurance transaction made on behalf of the program.

(d) No third-party administrator shall serve as an officer or on the board of directors of a self-insurance program.

NEW SECTION

**WAC 82-65-160 Standards for operations—State risk manager—Expense and operating cost fees.** (1) The

state risk manager, with concurrence from the health and welfare advisory board, shall fix state risk manager fees to cover expenses and operating costs of the state risk manager's office in administering chapter 48.62 RCW. Such fees shall be levied against each individual and joint health and welfare benefit self-insurance program regulated by chapter 48.62 RCW. Services covered by the state risk manager fees will include program reviews, monitoring and continuing oversight.

(2) The state risk manager fees shall be paid by each self-insurance program to the state of Washington, office of financial management within sixty days of the date of invoice. Any self-insurance program failing to remit its fee when due is subject to denial of permission to operate or to a cease and desist order until the fee is paid.

(3) A self-insurance program that has voluntarily or involuntarily terminated shall continue to pay an administrative fee until such time as all liabilities for unpaid claims and claim adjustment expenses and all administrative responsibilities of the self-insurance program have been satisfied.

(4) The state risk manager shall assess each prospective joint health and welfare self-insurance program and each prospective individual health and welfare benefit self-insurance program, an initial investigation fee at a rate determined annually by the state risk manager, with the concurrence of the advisory boards.

NEW SECTION

**WAC 82-65-170 Standards for operations—Appeals of fees.** (1) A self-insurance program which disagrees with a fee for services issued to it by the state risk manager shall notify the state risk manager in writing within thirty days after receipt of the invoice. The writing shall include the self-insurance program's reasons for challenging the fee and any other information the self-insurance program deems pertinent.

(2) The state risk manager shall review any fee appealed by a self-insurance program, together with the reasons for the appeal. Within fourteen days of receipt of notification from the self-insurance program, the state risk manager shall respond in writing to the self-insurance program, either reaffirming the fee or modifying it, and stating the reasons for the decision.

NEW SECTION

**WAC 82-65-180 Standards for operations—Appeals of cease and desist orders.** Within ten days after an individual or joint self-insurance program covering health and welfare benefits has been served with a cease and desist order under RCW 48.62.091(3), the entity may request an administrative hearing. The hearing provided may be held in such a place as is designated by the state risk manager and shall be conducted in accordance with chapters 34.05 RCW and 10-08 WAC.

NEW SECTION

**WAC 82-65-190 Standards for operations—Meetings.** Every self-insurance program is subject to the require-

ments of the Open Public Meetings Act as described in chapter 42.30 RCW.

#### NEW SECTION

**WAC 82-65-200 Standards for operation and management—Rules for joint self-insurance programs.** The following rules apply exclusively to joint self-insurance programs. Individual programs shall be exempt from these requirements.

#### NEW SECTION

**WAC 82-65-210 Standards for operation—Membership.** Membership in a joint self-insurance program requires the execution of an interlocal agreement. Members of a joint self-insurance program shall obtain insurance coverage only as a result of their signature on the interlocal agreement. Only members may participate in risk-sharing. Only members may participate in the self-insured retention layer, and only members may participate in the joint purchase of insurance. Further, each member shall agree to the following:

(1) Each member shall pay assessments and reassessments when required by the governing body of the program.

(2) Each member shall obtain approval to join the program from the governing body of the respective member. The approval shall be by resolution or ordinance of the governing body as appropriate for the entity type.

(3) Each member shall become a signatory to the interlocal agreement and subsequent amendments to the interlocal agreement of the joint self-insurance program.

#### NEW SECTION

**WAC 82-65-220 Standards for operation—Providing services to nonmembers.** (1) Nonmember local governments may purchase claims administration, risk management, claims processing and/or other ongoing significant support services through an interlocal agreement as authorized by chapter 39.34 RCW. Nonmembers shall not participate in any coverages of the joint self-insurance program including the self-insured retention layer and the excess insurance or reinsurance layer. This section is not intended to preclude nonmembers purchasing services from becoming members of the joint self-insurance program, provided the nonmember meets the requirements of WAC 82-65-210 and is eligible for membership as authorized by RCW 48.62.021 (1). This section is not intended to limit programs from providing occasional risk management or other support services to nonmembers, but is intended to provide standards for members providing ongoing significant services to nonmembers.

(2) A program intending to provide ongoing significant services to nonmembers shall submit a written plan to the state risk manager for approval prior to providing services. The plan shall include, at a minimum, the services to be provided, the time frame for providing such services, the expected revenues and expenditures resulting from providing said services, and a written legal determination of all potential federal and state tax liabilities created by providing services to nonmembers. The arrangement to provide such ser-

vices shall be approved in writing by the state risk manager within sixty days of the joint self-insurance program's final plan submission.

(3) Every joint self-insurance program providing ongoing significant services to nonmembers as of the effective date of these regulations must submit a written plan meeting the requirements stated herein.

#### NEW SECTION

**WAC 82-65-230 Standards for operation—Communication with members—Annual membership report.** Every joint self-insurance program shall make available to each member a copy of the program's annual membership report. The annual membership report shall include, at a minimum, financial information which includes the comparative balance sheet and statement of revenues, expenses and net assets. The reports shall be delivered to each member by electronic or regular mail. Programs may meet the delivery requirement by publishing and maintaining the membership report on the official web site of the program for a minimum of three years from the date of publication.

#### NEW SECTION

**WAC 82-65-240 Standards for operation—Notice of regular meetings of the governing body.** Every joint self-insurance program shall provide every member with a notice of the time and place of each regular meeting of the governing body at least ten days prior to the meeting. The notice shall be delivered in electronic or paper form, and the time and location of each meeting shall be included in such notice. The state risk manager shall be provided a copy of all meeting notifications to members in the same form, manner and time as provided to members. In addition to electronic or regular mail, programs shall publish notification of regular meetings on the electronic web site of the program accessible to the public. Notice of regular meetings shall comply with the meeting notification requirements of chapter 42.30 RCW or be published at least ten days in advance of regular meetings, whichever notification time is greater.

#### NEW SECTION

**WAC 82-65-250 Standards for operation—Special meetings—Notice to members.** All joint self-insurance programs shall comply with the requirements of RCW 42.30.080 in providing notification of special meetings. In addition, programs shall provide notice by electronic mail to the state risk manager and every member of the joint self-insurance program twenty-four hours in advance of every special meeting.

#### NEW SECTION

**WAC 82-65-260 Standards for operations—Meeting agendas—Meeting minutes.** Every joint self-insurance program will provide the state risk manager and every member with a preliminary agenda in advance of each meeting of the governing body. The agenda shall be delivered by electronic mail and shall be posted on the web site of the program acces-

sible to the public. Meeting minutes, after approval, shall be provided to the state risk manager and every member of the program by electronic mail and shall be posted on the web site of the program accessible to the public.

#### NEW SECTION

**WAC 82-65-270 Standards for operation—Notification of changes to bylaws or interlocal agreement.** Every joint self-insurance program shall provide notification of the intent to change the bylaws or interlocal agreement to each member of the joint self-insurance program and the state risk manager by regular or electronic mail at least thirty days in advance of the meeting during which a vote on the proposed change will occur. Such notification shall include a copy of proposed changes.

#### NEW SECTION

**WAC 82-65-280 Standards for operation—Changes to interlocal agreement.** (1) Changes to any terms of the interlocal agreement shall be approved by a majority of the members, or by a greater majority if provided for in the bylaws or interlocal agreement of the joint self-insurance program. Changes to the interlocal agreement shall be approved during a regular meeting of the governing body or by mail-in ballot. If mail-in ballots are used, the ballots are to be secured and remain unopened until the next regular meeting of the governing body. The opening and counting of the ballots shall be conducted by the governing body of the joint self-insurance program during the next regular meeting and retained in compliance with public records retention laws. Each ballot shall be read orally as to the member name and vote, either in the affirmative or negative, and recorded in the meeting minutes.

(2) Amendments to the interlocal agreement shall be adopted by ordinance or resolution of the governing board or council of each member. The signed amendment and copy of the ordinance or resolution, as appropriate, shall be retained by the joint self-insurance program. The interlocal agreement and subsequent amendments shall be published on the electronic web site of the joint self-insurance program.

(3) Changes to any terms of the interlocal agreement shall require amendment using the approval and adoption process described above.

(4) The addition of new members to a joint self-insurance program and/or the subscription of the interlocal agreement by said new members shall not be considered as amendments to the foundation agreement.

#### NEW SECTION

**WAC 82-65-290 Standards for operation—Elections of the governing body.** The governing body of every joint self-insurance program shall be elected by a majority of the members. Elections may be conducted during a regular meeting of the governing body or by mail-in ballot. If mail-in ballots are used, the ballots are to be secured and remain unopened until the next regular meeting of the governing body. The opening and counting of the ballots shall be conducted by the governing body of the joint self-insurance pro-

gram during the next regular meeting and retained in compliance with public records retention laws. Each ballot shall be read orally as to the member name and vote and recorded in the meeting minutes.

#### NEW SECTION

**WAC 82-65-300 Standards for contracts—Standards for operation—Purchases of goods and services.** Joint self-insurance programs comprised of one common entity type must comply with bidding and purchasing requirements as prescribed by law or regulation for that entity type. Joint self-insurance programs comprised of multiple entity types shall use a competitive process for the purchase of goods and services. Vendor selection shall be based on fees or costs, ability, capacity, experience, reputation, and responsiveness to time limitations.

**WSR 10-04-041**  
**PROPOSED RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed January 27, 2010, 1:32 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-01-134.

Title of Rule and Other Identifying Information: WAC 392-121-264 Finance—General apportionment—Definition—Certificated years of experience.

Hearing Location(s): Wanamaker Conference Room, Old Capitol Building, 600 South Washington Street, P.O. Box 47200, Olympia, WA 98504-7200, on March 9, 2010, at 10:00 a.m.

Date of Intended Adoption: March 9, 2010.

Submit Written Comments to: Legal Services, OSPI, P.O. Box 47200, Olympia, WA 98504-7200, fax (360) 753-4201, by March 1, 2010.

Assistance for Persons with Disabilities: Contact Kristin Collins by March 1, 2010, TTY (360) 664-3631 or (360) 725-6270.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These rule revisions will allow teaching experience at Seattle Children's Hospital to be included in calculating a teacher's certificated years of experience for purposes of salary allocations.

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: Cal Brodie, Office of Superintendent of Public Instruction, (360) 725-6300; Implementation: Ross Bunda, Office of Superintendent of Public Instruction, (360) 725-6308; and Enforcement: Jennifer Priddy, Office of Superintendent of Public Instruction, (360) 725-6292.



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

A cost-benefit analysis is not required under RCW 34.05.328. The superintendent of public instruction is not subject to RCW 34.05.328 per subsection (5)(a)(i). Additionally, this rule is not a significant legislative rule per subsection (5)(c)(iii).

January 25, 2010  
Randy I. Dorn  
Superintendent of  
Public Instruction

AMENDATORY SECTION (Amending WSR 09-06-038, filed 2/25/09, effective 3/28/09)

**WAC 392-121-264 Definition—Certificated years of experience.** Regardless of the experience factors used by a school district for the purposes of its salary schedule(s), as used in this chapter, the term "certificated years of experience" means the number of years of accumulated full-time and part-time professional education employment prior to the current reporting school year in the state of Washington, out-of-state, and a foreign country. School districts shall report all certificated years of experience including those beyond the experience limit of the school district's salary schedule.

(1) Professional education employment shall be limited to the following:

(a) Employment in public or private preschools or elementary and secondary schools in positions which require certification where:

(i) Schools include the Centrum education program, the Pacific Science Center education program, ~~((and))~~ educational centers authorized under chapter 28A.205 RCW, and Seattle Children's Hospital education program;

(ii) Certification means the concurrent public professional education licensing requirements established in the state, province, country, or other governmental unit in which employment occurred and which, for the state of Washington, refers to the certificates authorized by WAC 181-79A-140 and temporary permits authorized by WAC 181-79A-128;

(b) Employment in public or private vocational-technical schools, technical colleges, community/junior colleges, colleges, and universities in positions comparable to those which require certification in Washington school districts;

(c) Employment in a governmental educational agency with regional administrative responsibilities for preschool, elementary, and/or secondary education including but not limited to an educational service district, office of superintendent of public instruction, or United States department of education in any professional position including but not limited to C.P.A., architect, business manager, or physician;

(d) Experience in the following areas:

(i) Military, Peace Corps, or Vista service which interrupted professional education employment included in (a), (b), or (c) of this subsection; and

(ii) Sabbatical leave.

(e) For nondegreed vocational/career and technical education instructors, up to a maximum of six years of manage-

ment experience as defined in WAC 181-77-003(6) acquired after the instructor meets the minimum vocational/career and technical education certification requirements of three years (six thousand hours) established in WAC 181-77-041 (1)(a)(i), regardless of when the initial certificate is issued and regardless of type of vocational/career and technical education certificate held. If a degree is obtained while employed in the state of Washington as a nondegreed vocational/career and technical education instructor, the eligible years of management experience pursuant to this subsection reported on Report S-275 prior to the awarding of the degree shall continue to be reported but shall not increase.

(f) Beginning in the 2007-08 school year, for occupational therapists, physical therapists, nurses, speech-language pathologists, audiologists, counselors, psychologists, and social workers regulated under Title 18 RCW, years of experience may include employment as occupational therapists, physical therapists, nurses, speech-language pathologists, audiologists, counselors, psychologists, and social workers, that does not otherwise meet the requirements of (a) through (e) of this subsection, subject to the following conditions and limitations:

(i) Experience included under this subsection shall be limited to a maximum of two years.

(ii) The calculation of years of experience shall be that one year of experience in a school or other nonschool position counts as one year of experience for the purposes of this subsection, per subsection (2)(a) of this section.

(iii) Employment as occupational therapists shall be limited to the following:

(A) In positions requiring licensure as an occupational therapist under Title 18 RCW, or comparable out-of-state employment; and

(B) While holding a valid occupational therapist license, or other comparable occupational therapist credential.

(iv) Employment as physical therapists shall be limited to the following:

(A) In positions requiring licensure as a physical therapist under Title 18 RCW, or comparable out-of-state employment; and

(B) While holding a valid physical therapist license, or other comparable physical therapist credential.

(v) Employment as nurses shall be limited to the following:

(A) In positions requiring licensure as a registered nurse under Title 18 RCW, or comparable out-of-state employment; and

(B) While holding a valid registered nurse license, or other comparable registered nurse credential.

(vi) Employment as speech-language pathologists or audiologists shall be limited to the following:

(A) In positions requiring the same or similar duties and responsibilities as are performed by speech-language pathologists or audiologists regulated under Title 18 RCW; and

(B) After completion of the minimum requirements for conditional certification as a school speech-language pathologist or audiologist established in WAC 181-79A-231 (1)(c)(iv).

(vii) Employment as counselors shall be limited to the following:

(A) In positions requiring the same or similar duties and responsibilities as are performed by counselors regulated under Title 18 RCW; and

(B) After completion of the minimum requirements for emergency certification as a school counselor established in WAC 181-79A-231(3).

(viii) Employment as psychologists shall be limited to the following:

(A) In positions requiring the same or similar duties and responsibilities as are performed by psychologists regulated under Title 18 RCW; and

(B) After completion of the minimum requirements for emergency certification as a school psychologist established in WAC 181-79A-231(3).

(ix) Employment as social workers shall be limited to the following:

(A) In positions requiring the same or similar duties and responsibilities as are performed by social workers regulated under Title 18 RCW; and

(B) After completion of the minimum requirements for emergency certification as a school social worker established in WAC 181-79A-231(3).

(x) Certificated years of experience as occupational therapists, physical therapists, nurses, speech-language pathologists, audiologists, counselors, psychologists, and social workers, determined pursuant to this subsection and reported on Report S-275, by teachers and other certificated staff who are no longer employed as occupational therapists, physical therapists, nurses, speech-language pathologists, audiologists, counselors, psychologists, and social workers, shall continue to be reported but shall not increase.

(2) Years of full-time and part-time professional education employment prior to the current reporting school year are accumulated as follows:

(a) For each professional education employment which is not employment as a casual substitute pursuant to subsection (1)(a) of this section;

(i) Determine the total number of hours, or other unit of measure, per year for an employee working full-time with each employer;

(ii) Determine the number of hours, or other unit of measure, per year with each employer, including paid leave and excluding unpaid leave;

(iii) Calculate the quotient of the hours, or other unit of measure, determined in (a)(ii) of this subsection divided by the hours, or other unit of measure, in (a)(i) of this subsection rounded to two decimal places for each year.

(b) For professional education employment as a casual substitute pursuant to subsection (1)(a) of this section:

(i) Determine the total number of full-time equivalent substitute days per year;

(ii) Calculate the quotient of full-time equivalent days determined in (b)(i) of this subsection divided by 180 rounded to two decimal places for each year.

(c) No more than 1.0 year may be accumulated in any traditional nine-month academic year or any twelve-month period.

(i) Accumulate, for each year, professional education employment calculated in (a)(iii) and (b)(ii) of this subsection.

(ii) Determine the smaller of the result in (c)(i) of this subsection or 1.00 for each year.

(d) Determine certificated years of experience as the accumulation of all years of professional education employment calculated in (c)(ii) of this subsection and report such years rounded to one decimal place.

## WSR 10-04-059

### PROPOSED RULES

### PROFESSIONAL EDUCATOR

### STANDARDS BOARD

[Filed January 29, 2010, 10:42 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-12-019.

Title of Rule and Other Identifying Information: Revises WAC 181-78A-010, definition of accrediting bodies is revised to include the distant education and training council (DETC).

Hearing Location(s): The Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, on March 24, 2010, at 8:30 a.m.

Date of Intended Adoption: March 24, 2010.

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 March 15, 2010.

Assistance for Persons with Disabilities: Contact David Brenna by March 15, 2010, TTY (360) 664-3631 or (360) 725-6238.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Certain professional positions, such as health specialties, within education receive training and advanced degrees at institutions not included in current accrediting organizations. The federal Department of Education and the state higher education coordinating board both recognize the DETC as a higher education accrediting body. This rule change adds this DETC to the list of accrediting bodies recognized by the professional educator standards board.

Reasons Supporting Proposal: Stakeholder recommendations.

Statutory Authority for Adoption: RCW 28A.410.210.

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

Name of Proponent: Professional educators 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.

January 29, 2010  
David Brenna  
Legislative and  
Policy Coordinator

*(Effective Until December 1, 2011.)*

AMENDATORY SECTION (Amending WSR 07-19-056, filed 9/14/07, effective 10/15/07)

**WAC 181-78A-010 Definition of terms.** The following definitions shall be used in this chapter:

(1) "College or university" means any regionally accredited baccalaureate degree granting Washington institution of higher learning or cooperative group of such institutions which has or develops programs of preparation in education which are submitted to the professional educator standards board for approval.

(2) "Endorsement" means a specification placed on a certificate to indicate the subject area, grade level, and/or specialization for which the individual is prepared to teach.

(3) "Interstate compact" means the contractual agreement among several states authorized by RCW 28A.690.010 and 28A.690.020 which facilitates interstate reciprocity.

(4) "Program approval" means the approval by the professional educator standards board of an educator preparation program within Washington state.

(5) "Field experience" means a sequence of learning experiences which occur in actual school settings or clinical or laboratory settings. Such learning experiences are related to specific program outcomes and are designed to integrate educational theory, knowledge, and skills in actual practice under the direction of a qualified supervisor.

(6) "~~(Regionally)~~ Accredited institution of higher education" means a community college, college, or university which is a candidate for accreditation or is accredited by one of the following (~~(regional)~~) accrediting bodies:

- (a) Middle States, Association of Colleges and Schools;
- (b) New England Association of Schools and Colleges;
- (c) North Central Association of Colleges and Schools;
- (d) Northwest Association of Schools and of Colleges and Universities;
- (e) Southern Association of Colleges and Schools;
- (f) Western Association of Schools and Colleges;

Accrediting Commission for Junior and Senior Colleges;

(g) Distant Education and Training Council (DETC).

(7) "An approved performance-based educator preparation program" means a program that requires the candidate to demonstrate in multiple ways, over time, specific professional educator standards board required standards, criteria, knowledge and skills, including, where appropriate, evidence related to positive impact on student learning.

(8) "A positive impact on student learning" means that a teacher through instruction and assessment has been able to document students' increased knowledge and/or demonstration of a skill or skills related to the state goals and/or essential academic learning requirements: Provided, That teachers

employed by private schools who are candidates for the professional teaching certificate shall document students' increased knowledge and/or demonstration of a skill or skills related to either:

(a) The state goals or essential academic learning requirements; or

(b) Such alternative learning goals as the private school has established.

(9) "Collaboration" (as used in WAC 181-78A-500 through 181-78A-540) means ongoing communication among the professional growth team members using a variety of formats (e.g., conferences, electronic mail, conference calls, etc.) to reach consensus regarding the content - course work, experiences, competencies, knowledges and skills - of the candidate's professional growth plan.

(10) "Professional growth team."

(a) Teacher "professional growth team" means a team comprised of the candidate for professional certification, a colleague specified by the candidate, a college or university advisor appointed by the college or university, and a representative from the school district in which the candidate teaches.

(b) Principal/program administrator "professional growth team," for the purpose of professional certification, means a team comprised of the candidate for the professional certificate, a district representative or designee, a professional association representative, and a college or university advisor. "Professional growth team," for the purpose of renewal of the professional certificate, means a team comprised of the individual renewing the certificate and the superintendent, or superintendent designee or appointed representative.

(c) School counselor, school psychologist, and school social worker "professional growth team" for the purpose of professional certification, means a team comprised of the candidate for the professional certificate, a college/university program administrator/designee, and a colleague/peer from the same professional role specified by the candidate. A district representative is also required to serve on the professional growth team. Provided that, a candidate may petition the university to have membership of a district representative waived.

(11) "Individual professional growth plan" means the document which identifies the specific competencies, knowledges, skills and experiences needed to meet the standards set forth in WAC 181-78A-540. The individual professional growth plan shall meet requirements set forth in WAC 181-78A-535 (4)(a).

(12) "Preassessment seminar" means that component of the approved professional certificate program in which the candidate for a professional certificate, in collaboration with members of his/her professional growth team, identifies specific competencies, knowledges, skills and/or experiences needed to meet standards for the certificate as required by WAC 181-78A-540. The preassessment seminar shall meet requirements set forth in WAC 181-78A-535 (4)(a).

(13) "Culminating seminar" means that component of the approved professional certificate program in which the candidate for a professional certificate presents his/her final documentation and evidence of professional certificate level

knowledge, skill and performance, and positive impact on student learning. The culminating seminar shall meet requirements set forth in WAC 181-78A-535 (4)(e).

*(Effective December 1, 2011.)*

AMENDATORY SECTION (Amending WSR 09-22-023, filed 10/26/09, effective 12/1/11)

**WAC 181-78A-010 Definition of terms.** The following definitions shall be used in this chapter:

(1) "College or university" means any regionally accredited baccalaureate degree granting Washington institution of higher learning or cooperative group of such institutions which has or develops programs of preparation in education which are submitted to the professional educator standards board for approval.

(2) "Endorsement" means a specification placed on a certificate to indicate the subject area, grade level, and/or specialization for which the individual is prepared to teach.

(3) "Interstate compact" means the contractual agreement among several states authorized by RCW 28A.690.010 and 28A.690.020 which facilitates interstate reciprocity.

(4) "Program approval" means the approval by the professional educator standards board of an educator preparation program within Washington state.

(5) "Field experience" means a sequence of learning experiences which occur in actual school settings or clinical or laboratory settings. Such learning experiences are related to specific program outcomes and are designed to integrate educational theory, knowledge, and skills in actual practice under the direction of a qualified supervisor.

(6) "~~(Regionally)~~ Accredited institution of higher education" means a community college, college, or university which is a candidate for accreditation or is accredited by one of the following (~~(regional)~~) accrediting bodies:

- (a) Middle States, Association of Colleges and Schools;
- (b) New England Association of Schools and Colleges;
- (c) North Central Association of Colleges and Schools;
- (d) Northwest Association of Schools and of Colleges and Universities;
- (e) Southern Association of Colleges and Schools;
- (f) Western Association of Schools and Colleges;

(g) Distant Education and Training Council (DETC).

(7) "An approved performance-based educator preparation program" means a program that requires the candidate to demonstrate in multiple ways, over time, specific professional educator standards board required standards, criteria, knowledge and skills, including, where appropriate, evidence related to positive impact on student learning.

(8) "A positive impact on student learning" means that a teacher through instruction and assessment has been able to document students' increased knowledge and/or demonstration of a skill or skills related to the state goals and/or essential academic learning requirements: Provided, That teachers employed by private schools who are candidates for the professional teaching certificate shall document students' increased knowledge and/or demonstration of a skill or skills related to either:

(a) The state goals or essential academic learning requirements; or

(b) Such alternative learning goals as the private school has established.

(9) "Collaboration" (as used in WAC 181-78A-500 through 181-78A-540) means ongoing communication among the professional growth team members using a variety of formats (e.g., conferences, electronic mail, conference calls, etc.) to reach consensus regarding the content - course work, experiences, competencies, knowledge and skills - of the candidate's professional growth plan.

(10) "Professional growth team."

(a) Principal/program administrator "professional growth team," for the purpose of professional certification, means a team comprised of the candidate for the professional certificate, a district representative or designee, a professional association representative, and a college or university advisor. "Professional growth team," for the purpose of renewal of the professional certificate, means a team comprised of the individual renewing the certificate and the superintendent, or superintendent designee or appointed representative.

(b) School counselor, school psychologist, and school social worker "professional growth team" for the purpose of professional certification, means a team comprised of the candidate for the professional certificate, a college/university program administrator/designee, and a colleague/peer from the same professional role specified by the candidate. A district representative is also required to serve on the professional growth team. Provided that, a candidate may petition the university to have membership of a district representative waived.

(11) "Individual professional growth plan" means the document which identifies the specific competencies, knowledge, skills and experiences needed to meet the standards set forth in WAC 181-78A-540.

(12) "Culminating seminar" means that component of the approved professional certificate program in which the candidate for a professional certificate presents his/her final documentation and evidence of professional certificate level knowledge, skill and performance, and positive impact on student learning. The culminating seminar shall meet requirements set forth in WAC 181-78A-535(2).

## WSR 10-04-060

### PROPOSED RULES

### DEPARTMENT OF AGRICULTURE

[Filed January 29, 2010, 10:54 a.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: Fryers, broilers and roasters, chapter 16-512 WAC, WAC 16-512-005 Marketing order—Policy statement, 16-512-006 Marketing order purposes, 16-512-010 Definitions, 16-512-020 Fryer commission—Structure, powers, duties, and procedure, 16-512-040 Assessments and assessment funds, 16-

512-050 Information reports, 16-512-060 Separability, and 16-512-070 Effective time.

Hearing Location(s): Washington State Department of Agriculture, Natural Resources Building, 1111 Washington Street S.E., Conference Room 205, Olympia, WA 98504-2560, on March 12, 2010, at 1:30 p.m.

Date of Intended Adoption: May 14, 2010.

Submit Written Comments to: Kelly Frost, P.O. Box 42560, Olympia, WA 98504-2560, e-mail [kfrost@agr.wa.gov](mailto:kfrost@agr.wa.gov), fax (360) 902-2092, by 5:00 p.m., March 15, 2010.

Assistance for Persons with Disabilities: Contact WSDA receptionist by March 3, 2010, TTY 1-800-833-6488 or (360) 902-1976.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposal would terminate the Washington fryer commission. A hearing will be held under the provisions of chapter 15.66 RCW to determine whether termination of the commission would effectuate the declared policy of the statute and the marketing order is not needed.

Reasons Supporting Proposal: The fryer industry has experienced many challenges and changes over the past several years. In the 1990s, Washington State University cut the poultry program which negated the opportunity for research unique to the poultry industry in Washington. A few years ago the two remaining processors of Washington-grown chicken opted to combine the state of origin information with Oregon's which eliminated the "Grown in Washington" brand. In 2009 the growers voted to reduce the rate they are assessed in recognition of economic struggles as well as the scaled-back functions of the commission (primarily focused on assisting growers with maintaining their businesses, consumer outreach, regulatory services and legislative activities). Although the board of the fryer commission has continued to meet since assessments were reduced, no meaningful mission has been crafted to move the commission forward and it is believed most growers feel the commission has outlived its usefulness to the industry. A petition to eliminate the fryer commission was submitted by the board to the director of the department of agriculture.

Statutory Authority for Adoption: RCW 15.66.055 and chapter 34.05 RCW.

Statute Being Implemented: Chapter 15.66 RCW.

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: Any rule proposal that results from this rule-making process will not be adopted unless the proposed rules are also approved in a referendum of affected fryer producers pursuant to chapter 15.66 RCW.

Name of Proponent: Washington state fryer commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kelly Frost, P.O. Box 42560, Olympia, WA 98504-2560, (360) 902-1802.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposal would eliminate the marketing order for the Washington fryer commission. Under the provisions of chapter 15.66 RCW a refer-

endum of the affected parties would be required to terminate the commission.

A cost-benefit analysis is not required under RCW 34.05.328. The department of agriculture and the Washington fryer commission are not named agencies in RCW 34.05.328 (5)(a)(i).

January 29, 2010

Dan Newhouse

Director

### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-512-005	Marketing order—Policy statement.
WAC 16-512-006	Marketing order purposes.
WAC 16-512-010	Definitions.
WAC 16-512-020	Fryer commission—Structure, powers, duties, and procedure.
WAC 16-512-040	Assessments and assessment funds.
WAC 16-512-050	Information reports.
WAC 16-512-060	Separability.
WAC 16-512-070	Effective time.

### **WSR 10-04-066**

#### **PROPOSED RULES**

#### **DEPARTMENT OF HEALTH**

(Board of Osteopathic Medicine and Surgery)

[Filed January 29, 2010, 4:50 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-141.

Title of Rule and Other Identifying Information: New WAC 246-853-650, adding a new section for office-based surgery standards.

Hearing Location(s): St. Francis Hospital, 34515 9th Avenue South, Federal Way, WA 98003, on March 19, 2010, at 9:00 a.m.

Date of Intended Adoption: March 19, 2010.

Submit Written Comments to: Erin Obenland, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 236-2406, by March 5, 2010.

Assistance for Persons with Disabilities: Contact Erin Obenland by March 5, 2010, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Rules are needed to establish consistent [consistent] standards for osteopathic physicians who administer sedation in an office-based setting. The proposed rule will help promote patient safety in an

office-based surgery (OBS) setting by defining types of sedation that may be used, requiring compliance with certification standards, by requiring them to demonstrate qualifications and competency, requiring one provider is currently certified in advanced resuscitative techniques, return patients who enter a deeper level of sedation than intended to a lighter level of sedation as quickly as possible, separate surgical and monitoring functions, create written emergency protocols and maintain legible, complete and accurate medical records.

Reasons Supporting Proposal: The board of osteopathic medicine and surgery (board) is proposing this rule because currently there is no direct regulation for office-based surgery settings. ESHB 1414 (2009) amended RCW 18.57.005 and allows the board to adopt rules governing the administration of sedation and anesthesia. Rules are needed to establish enforceable standards to reduce the risk of substandard care, inappropriate anesthesia, infections, and serious complications by osteopathic physicians in an office-based surgery setting.

Statutory Authority for Adoption: RCW 18.57.005, 18.130.050.

Statute Being Implemented: Chapter 18.57 RCW.

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

Name of Proponent: Department of health, board of osteopathic medicine and surgery, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Erin Obenland, 310 Israel Road S.E., Tumwater, WA 98501, (360) 236-4945.

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 Erin Obenland, Program Manager, Department of Health, Board of Osteopathic Medicine and Surgery, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4945, fax (360) 236-2406, e-mail erin.obenland@doh.wa.gov.

January 29, 2010  
Blake T. Maresh  
Executive Director

## NEW SECTION

### **WAC 246-853-650 Office-based surgery standards.**

(1) Purpose. The purpose of this rule is to promote and establish consistent standards, continuing competency, and to promote patient safety. The board of osteopathic medicine and surgery establishes the following rule for those physicians licensed under this chapter who perform surgical procedures and use analgesia or sedation in office-based settings.

(2) Definitions. The following terms used in this subsection apply throughout this rule unless the text clearly indicates otherwise:

(a) "Board" means the board of osteopathic medicine and surgery.

(b) "Deep sedation or analgesia" means a drug-induced depression of consciousness during which patients cannot be

easily aroused but respond purposefully following repeated or painful stimulation. The ability to independently maintain ventilatory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular function is maintained.

(c) "General anesthesia" means a state of unconsciousness intentionally produced by anesthetic agents, with absence of pain sensation over the entire body, in which the patient is without protective reflexes and is unable to maintain an airway. Sedation that unintentionally progresses to the point at which the patient is without protective reflexes and is unable to maintain an airway is not considered general anesthesia.

(d) "Local infiltration" means the process of infusing local anesthetic agent into the skin and other tissues to allow painless wound irrigation, exploration and repair, foreign puncture, and other procedures.

(e) "Major conduction anesthesia" means the administration of a drug or combination of drugs to interrupt nerve impulses without loss of consciousness, such as epidural, caudal, or spinal anesthesia, lumbar or brachial plexus blocks, and intravenous regional anesthesia. Major conduction anesthesia does not include isolated blockade of small peripheral nerves, such as digital nerves.

(f) "Minimal sedation or analgesia" means a drug-induced state during which patients respond normally to verbal commands. Although cognitive function and coordination may be impaired, ventilatory and cardiovascular functions are unaffected. Minimal sedation is limited to unsupplemented oral and intramuscular medications.

(g) "Moderate sedation or analgesia" means a drug-induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by tactile stimulation. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is maintained.

(h) "Office-based surgery" means any surgery or invasive medical procedure requiring analgesia or sedation, including, but not limited to, local infiltration for tumescent liposuction performed in a location other than a licensed hospital, hospital-associated surgical center, or ambulatory surgical facility.

(i) "Physician" means an osteopathic physician licensed under chapter 18.57 RCW.

(3) Exemptions. This rule does not apply to physicians when:

(a) Performing surgery and medical procedures that require only minimal sedation (anxiolysis), or infiltration of local anesthetic around peripheral nerves.

(b) Performing surgery in a licensed hospital, a hospital-associated surgical center, or an ambulatory surgical facility.

(c) Performing surgery using general anesthesia. General anesthesia cannot be a planned event in an office-based surgery setting. Facilities where physicians do procedures involving general anesthesia are regulated by rules related to licensed hospitals, hospital-associated surgical centers, and ambulatory surgical facilities.

(d) Performing oral and maxillofacial surgery, the physician:

(i) Is licensed both as a physician under chapter 18.57 RCW and as a dentist under chapter 18.32 RCW;

(ii) Complies with dental quality assurance commission regulations;

(iii) Holds a valid:

(A) Moderate sedation permit; or

(B) Moderate sedation with parenteral agents permit; or

(C) General anesthesia and deep sedation permit; and

(iv) Practices within the scope of their specialty.

(4) Application of rules. This rule applies to physicians practicing independently or in a group setting who perform office-based surgery employing one or more of the following levels of sedation or anesthesia:

(a) Moderate sedation or analgesia; or

(b) Deep sedation or analgesia; or

(c) Major conduction anesthesia.

(5) Accreditation or certification. Within one hundred eighty calendar days of the effective date of this rule, a physician who performs a procedure under this rule must ensure that the procedure is performed in a facility that is appropriately equipped and maintained to ensure patient safety through certification and in good standing from one of the following:

(a) The Joint Commission (JC);

(b) The Accreditation Association for Ambulatory Health Care (AAAHC);

(c) The American Association for Accreditation of Ambulatory Surgery Facilities (AAAASF); or

(d) The Centers for Medicare and Medicaid Services (CMS).

(6) Competency. A physician performing office-based surgery using a form of sedation or anesthesia in subsection (4) of this section must be competent and qualified to perform the operative procedure and to provide sedation and analgesia.

(7) Qualifications for administration of sedation and analgesia may include:

(a) Completion of a continuing medical education course in conscious sedation;

(b) Relevant training in a residency training program;

(c) Having privileges for conscious sedation granted by a hospital medical staff.

(8) Resuscitative preparedness. At least one provider who is currently certified in advanced resuscitative techniques appropriate for the patient age group (e.g., advanced cardiac life support (ACLS), pediatric advanced life support (PALS) or advanced pediatric life support (APLS)) must be present or immediately available with age-size appropriate resuscitative equipment throughout the procedure and until the patient has met the criteria for discharge from the facility.

(9) Sedation, assessment and management.

(a) Sedation is a continuum. Depending on the patient's response to drugs, the drugs administered, and the dose and timing of drug administration, it is possible that a deeper level of sedation will be produced than initially intended.

(b) Physicians intending to produce a given level of sedation should be able to "rescue" patients who enter a deeper level of sedation than intended.

(c) If a patient unintentionally enters into a deeper level of sedation than planned, the provider must return the patient

to the lighter level of sedation as quickly as possible, while closely monitoring the patient to ensure the airway is patent, the patient is breathing, and that oxygenation, the heart rate, and blood pressure are within acceptable values.

(10) Separation of surgical and monitoring functions.

(a) The physician performing the surgical procedure must not provide the anesthesia or monitoring.

(b) The licensed health care practitioner performing the anesthesia or monitoring must not perform or assist in the surgical procedure.

(11) Emergency care and transfer protocols. A physician performing office-based surgery must ensure that in the event of a complication or emergency:

(a) All office personnel are familiar with a written documented plan to timely and safely transfer patients to an appropriate hospital.

(b) The plan must include arrangements for emergency medical services and appropriate escort of the patient to the hospital.

(12) Medical record. The physician performing office-based surgery must maintain a legible, complete, comprehensive and accurate medical record for each patient.

(a) The medical record must include:

(i) Identity of the patient;

(ii) History and physical, diagnosis and plan;

(iii) Appropriate lab, X ray or other diagnostic reports;

(iv) Appropriate preanesthesia evaluation;

(v) Narrative description of procedure;

(vi) Pathology reports;

(vii) Documentation of which, if any, tissues and other specimens have been submitted for histopathologic diagnosis;

(viii) Provision for continuity of postoperative care;

(ix) Documentation of the outcome and the follow-up plan.

(b) When moderate or deep sedation or major conduction anesthesia is used, the patient medical record must include a separate anesthesia record that documents:

(i) Type of sedation or anesthesia used;

(ii) Drugs (name and dose) and time of administration;

(iii) Documentation at regular intervals of information obtained from intraoperative and postoperative monitoring;

(iv) Fluids administered during the procedure;

(v) Patient weight;

(vi) Level of consciousness;

(vii) Estimated blood loss;

(viii) Duration of procedure; and

(ix) Any complication or unusual events related to the procedure or sedation/anesthesia.

#### WSR 10-04-081

#### WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF LICENSING

(By the Code Reviser's Office)

[Filed February 2, 2010, 8:37 a.m.]

WAC 308-108-100 and 308-108-160, proposed by the department of licensing in WSR 09-15-193 appearing in

issue 09-15 of the State Register, which was distributed on August 5, 2009, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 10-04-082**

**WITHDRAWAL OF PROPOSED RULES  
DEPARTMENT OF LICENSING  
(By the Code Reviser's Office)**

[Filed February 2, 2010, 8:39 a.m.]

WAC 308-110-010, 308-110-020, 308-110-030, 308-110-040, 308-110-050, 308-110-060, 308-110-070, 308-110-080, 308-110-090 and 308-110-100, proposed by the department of licensing in WSR 09-15-194 appearing in issue 09-15 of the State Register, which was distributed on August 5, 2009, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 10-04-087**

**PROPOSED RULES  
OLYMPIC REGION  
CLEAN AIR AGENCY**

[Filed February 2, 2010, 11:53 a.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: Olympic Region Clean Air Agency regulations, amendments to Rule 1.4 Definitions, creation of Rule 1.10 Service of Notice, deletion of Rule 2.2 Service of Notice, amendment to Rule 6.1.2 Application Processing, deletion of Rule 7.7 Emission and Operation of Waste Wood Burners, and amendments to Rule 8.1 Residential Wood Heating.

Hearing Location(s): Olympic Region Clean Air Agency, 2940 B Limited Lane N.W., Olympia, WA 98502, on April 14, 2010, at 10:00 a.m.

Date of Intended Adoption: April 14, 2010.

Submit Written Comments to: Robert Moody, 2940 B Limited Lane N.W., Olympia, WA 98502, e-mail robert.moody@orca.org, fax (360) 539-7610, by April 2, 2010.

Assistance for Persons with Disabilities: Contact Dan Nelson by April 2, 2010, (360) 539-7610.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: There are three areas of changes proposed: Changes to align regulations with changes to the RCW; changes deemed important for enforcement of existing rules; and removal of unused definitions and rules. A discussion of the changes by each rule follows: Rule

1.4 The definition of "owner" is expanded to include all of the potential parties. Definitions that are not used throughout ORCAA regulations will be deleted. Rule 2.2 is being moved to Rule 1.10. The reference to Rule 2.2 in Rule 6.1.2 is being removed. Rule 7.7 is less stringent than current state rule (WAC 173-400-070) and is deemed no longer necessary. Rule 8.1 required several changes to be consistent with current state law (chapter 70.94 RCW).

Statutory Authority for Adoption: Chapter 70.94 RCW.  
Statute Being Implemented: Chapter 70.94 RCW.

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

Name of Proponent: Olympic Region Clean Air Agency, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Robert Moody, 2940 B Limited Lane N.W., (360) 539-7610.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the Regulatory Fairness Act (chapter 19.85 RCW) because air pollution control authorities are not deemed state agencies (RCW 70.94.141).

A cost-benefit analysis is not required under RCW 34.05.328. Air pollution control authorities are not deemed to be state agencies (RCW 70.94.141).

February 2, 2010  
Francea L. McNair  
Executive Director

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 10-06 issue of the Register.

**WSR 10-04-101**

**PROPOSED RULES  
STATE BOARD OF HEALTH**

[Filed February 3, 2010, 9:20 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-18-007.

Title of Rule and Other Identifying Information: WAC 246-491-039, amendment to establish identification requirements to access specific confidential information on the state of Washington live birth certificate.

Hearing Location(s): Great Wolf Lodge, 20500 Old Highway 99 S.W., Grand Mound, WA 98531, on March 10, 2010, at 1:30 p.m.

Date of Intended Adoption: March 10, 2010.

Submit Written Comments to: Philip Freeman, Department of Health, P.O. Box 47814, Olympia, WA 98504-7814, web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 753-4135, by March 3, 2010.

Assistance for Persons with Disabilities: Contact Philip Freeman by March 3, 2010, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed change would establish the manner by which the identity of the individual requesting information from the confidential section of their birth certificate would be confirmed. The



proposed change would also specify the items from the confidential section of the birth certificate that could be provided to the individual requesting the information.

Reasons Supporting Proposal: SHB 1510, chapter 44, Laws of 2009, provides an administrative option for some of the information on the confidential section of the birth certificate to be shared with the person who is the subject of that record. Items concerning the mother or father cannot be included in the information provided to the individual. The bill also specifies that the person requesting such information must confirm their identity in a manner approved by the state board of health.

Statutory Authority for Adoption: RCW 70.58.055.

Statute Being Implemented: RCW 70.58.055.

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: Philip Freeman, 101 Israel Road S.E., Tumwater, WA 98501, (360) 236-4340.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Under RCW 19.85.025 and 34.05.310 (4)(e), a small business economic impact statement is not required for a proposed rule where the content of the rule is explicitly and specifically dictated by statute.

A cost-benefit analysis is not required under RCW 34.05.328. The agency did not complete a cost-benefit analysis under RCW 34.05.328. RCW 34.05.328 (5)(b)(v) exempts rules the content of which is explicitly and specifically dictated by statute.

February 2, 2010  
Craig McLaughlin  
Executive Director

**AMENDATORY SECTION** (Amending WSR 02-20-092, filed 10/1/02, effective 11/1/02)

**WAC 246-491-039 Confidential information on state of Washington live birth and fetal death certificates under chapter 70.58 RCW.** (1) The confidential sections of the certificate of live birth and the certificate of fetal death are not subject to public inspection and may not be included on certified copies of the record except upon order of a court, or as specified in subsection (2) of this section.

(2) An individual who is the subject of the birth certificate may request the confidential information from their own birth certificate.

(a) All requests are to be made to the department on a form provided by the department.

(b) In order to obtain the confidential information:

(i) The individual and the subject of the birth certificate must be the same person.

(ii) The individual must have proof of identity as specified in (c) of this subsection.

(c) Proof of identity includes:

(i) A current document issued by a federal or state government with the individual's name, date of birth, photograph, signature, and physical description.

(ii) A legal record documenting any name change, if needed, to verify that the individual and the subject of the birth certificate are the same person.

(iii) If not applying in person, a notarized signature of the individual making the request must be included with the proof of identity.

(d) The department shall, upon receipt of a request in compliance with (a) through (c) of this subsection, provide to the individual the following items, as available from their birth certificate:

(i) Newborn medical record number;

(ii) Birth weight;

(iii) Infant head circumference;

(iv) Obstetric estimate of gestation;

(v) Apgar scores;

(vi) Infant transferred within twenty-four hours of delivery;

(vii) Abnormal conditions of the newborn; and

(viii) Congenital anomalies of the newborn.

## WSR 10-04-107

### PROPOSED RULES

### DEPARTMENT OF

### SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed February 3, 2010, 10:51 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-19-124.

Title of Rule and Other Identifying Information: The community services division is proposing to amend WAC 388-478-0030 Payment standards for GA-U and ADATSA.

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://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6094, on March 9, 2010, at 10:00 a.m.

Date of Intended Adoption: Not earlier than March 10, 2010.

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 DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on March 9, 2010.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS rules consultant, by February 23, 2010, 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: The community services division is proposing amendments to WAC 388-478-0030 Payment standards for GA-U and ADATSA, to apply a ratable reduction to the general assistance and ADATSA grant payment standard.

Reasons Supporting Proposal: The department is proposing the amendments in order to help stay within budget appropriations.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.08.090, 74.04.005, and 74.04.770.

Statute Being Implemented: RCW 74.04.050, 74.04.-055, 74.08.090, 74.04.005, and 74.04.770.

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: Melissa Mathson, 712 Pear Street S.E., Olympia, WA 98503, (360) 725-4563.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These proposed rules do not have an economic impact on small businesses. The proposed amendments only affect DSHS clients by clarifying the description of medical evidence requirements to determine incapacity.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to ... rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

February 1, 2010

Don Goldsby, Manager

Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

**WAC 388-478-0030 Payment standards for ((GA-U)) general assisatnce and ADATSA.** (1) The payment standards for general assistance((~~unemployable (GA-U))~~) (GA) and alcohol and drug addiction treatment and support act (ADATSA) program assistance units with obligations to pay shelter costs are:

Assistance Unit Size	Payment Standard
1	\$((339)) <u>329</u>
2	((428)) <u>415</u>

(2) The payment standards for ((GA-U)) (GA) and ADATSA assistance units with shelter provided at no cost are:

Assistance Unit Size	Payment Standard
1	\$((206)) <u>200</u>
2	((261)) <u>253</u>

**Reviser's note:** The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 10-04-108**

**PROPOSED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Health and Recovery Services Administration)

[Filed February 3, 2010, 11:00 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 08-01-021.

Title of Rule and Other Identifying Information: The department is amending WAC 388-502-0160 Billing a client.

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 March 9, 2010, at 10:00 a.m.

Date of Intended Adoption: Not sooner than March 10, 2010.

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 DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on March 9, 2010.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS rules consultant, by February 23, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at [johnsj14@dshs.wa.gov](mailto:johnsj14@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Revisions to this rule are necessary to: (1) Reorganize the contents for better understanding; (2) eliminate duplications and outdated information; (3) clarify the conditions under which a provider may bill a medical assistance client, or anyone on the client's behalf, for covered and noncovered services; (4) clarify that these rules apply to providers whether they serve fee-for-service or managed care clients; (5) standardize the form providers use when entering into agreements with clients to pay for covered and/or noncovered services; (6) clarify the conditions under which a provider does not need to execute the standardized form to bill a client; and (7) further clarify spenddown.

Reasons Supporting Proposal: This rule, as currently published, continues to cause erroneous billings and confusion amongst the provider and client communities. These revisions provide a standardized agreement to pay for healthcare services form (DSHS 13-879) for providers and clients to use at no cost which the department will recognize as a valid agreement. These rule revisions also allow clients to make their own healthcare choices if they are willing and able to pay for services themselves and incorporate safeguards to adequately protect both providers and clients.

Statutory Authority for Adoption: RCW 74.08.090 and 42 C.F.R. 447.15.

Statute Being Implemented: RCW 74.08.090.

Rule is necessary because of federal law, BIPA §702.

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

Name of Agency Personnel Responsible for Drafting: Wendy L. Boedigheimer, P.O. Box 45504, Olympia, WA

98504-5504, (360) 725-1306; Implementation and Enforcement: Gail Kreiger, P.O. Box 45560, Olympia, WA 98504-5560, (360) 725-1681.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule amendments and determined that, while all businesses will be impacted by these changes, there are no new costs associated with these changes and they do not impose disproportionate costs on small businesses.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Gail Kreiger/Wendy Boedigheimer, P.O. Box 45560, Olympia, WA 98504-5560, phone (360) 725-1681, fax (360) 586-9727, e-mail kreigga@dshs.wa.gov or boediwl@dshs.wa.gov.

January 22, 2010

Don Goldsby, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-12-070, filed 5/31/02, effective 7/1/02)

**WAC 388-502-0160 Billing a client.** (1) ~~((A provider may not bill, demand, collect, or accept payment from a client or anyone on the client's behalf for a covered service. The client is not responsible to pay for a covered service even if MAA does not pay the provider because the provider failed to satisfy the conditions of payment in MAA billing instructions, this chapter, and other chapters regulating the specific type of service provided.~~

~~(2) The provider is responsible for verifying whether the client has medical coverage for the date of service and to check the limitations of the client's medical program.~~

~~(3) A provider may bill a client only if one of the following situations apply:~~

~~(a) The client is enrolled in medical assistance managed care and the client and provider comply with the requirements in WAC 388-538-095;~~

~~(b) The client is not enrolled in medical assistance managed care, and the client and provider sign an agreement regarding payment for the service. The agreement must be translated or interpreted into the client's primary language and signed before the service is rendered. The provider must give the client a copy and maintain the original in the client's file for department review upon request. The agreement must include each of the following elements to be valid:~~

~~(i) A statement listing the specific service to be provided;~~

~~(ii) A statement that the service is not covered by MAA;~~

~~(iii) A statement that the client chooses to receive and pay for the specific service; and~~

~~(iv) The client is not obligated to pay for the service if it is later found that the service was covered by MAA at the time it was provided, even if MAA did not pay the provider for the service because the provider did not satisfy MAA's billing requirements.~~

~~(e) The client or the client's legal guardian was reimbursed for the service directly by a third party (see WAC 388-501-0200);~~

~~(d) The client refuses to complete and sign insurance forms, billing documents, or other forms necessary for the~~

~~provider to bill insurance for the service. This provision does not apply to coverage provided by MAA;~~

~~(e) The provider has documentation that the client represented himself/herself as a private pay client and not receiving medical assistance when the client was already eligible for and receiving benefits under a MAA medical program. This documentation must be signed and dated by the client or the client's representative. The provider must give a copy to the client and maintain the original documentation in the client's file for department review upon request. In this case, the provider may bill the client without fulfilling the requirements in subsection (3)(b) of this section regarding the agreement to pay. However, if the patient later becomes eligible for MAA coverage of a provided service, the provider must comply with subsection (4) of this section for that service;~~

~~(f) The bill counts toward a spenddown liability, emergency medical expense requirement, deductible, or copayment required by MAA; or~~

~~(g) The client received medical services in a hospital emergency room for a condition that was not an emergency medical condition. In such cases, a three-dollar copayment may be imposed on the client by the hospital, except when:~~

~~(i) Reasonable alternative access to care was not available;~~

~~(ii) The "indigent person" criteria in WAC 246-453-040(1) applies;~~

~~(iii) The client was eighteen years of age or younger;~~

~~(iv) The client was pregnant or within sixty days post-pregnancy;~~

~~(v) The client is an American Indian or Alaska Native;~~

~~(vi) The client was enrolled in a MAA managed care plan, including primary care case management (PCCM);~~

~~(vii) The client was in an institution such as a nursing facility or residing in an alternative living facility such as an adult family home, assisted living facility, or boarding home; or~~

~~(viii) The client receives waived services such as community options program entry system (COPEs) and community alternatives program (CAP).~~

~~(4) If a client becomes eligible for a covered service that has already been provided because the client:~~

~~(a) Applied to the department for medical services later in the same month the service was provided (and is made eligible from the first day of the month), the provider must:~~

~~(i) Not bill, demand, collect, or accept payment from the client or anyone on the client's behalf for the service; and~~

~~(ii) Promptly refund the total payment received from the client or anyone on the client's behalf, and then bill MAA for the service;~~

~~(b) Receives a delayed certification as defined in WAC 388-500-0005, the provider must:~~

~~(i) Not bill, demand, collect, or accept payment from the client or anyone on the client's behalf for the service; and~~

~~(ii) Promptly refund the total payment received from the client or anyone on the client's behalf, and then bill MAA for the service; or~~

~~(c) Receives a retroactive certification as defined in WAC 388-500-0005, the provider:~~

~~(i) Must not bill, demand, collect, or accept payment from the client or anyone on the client's behalf for any unpaid charges for the service; and~~

~~(ii) May refund any payment received from the client or anyone on the client's behalf, and after refunding the payment, the provider may bill MAA for the service.~~

~~(5) Hospitals may not bill, demand, collect, or accept payment from a medically indigent, GA-U, or ADATSA client, or anyone on the client's behalf, for inpatient or outpatient hospital services during a period of eligibility, except for spenddown and under the circumstance described in subsection (3)(g) of this section.~~

~~(6) A provider may not bill, demand, collect, or accept payment from a client, anyone on the client's behalf, or MAA for copying or otherwise transferring health care information, as that term is defined in chapter 70.02 RCW, to another health care provider. This includes, but is not limited to:~~

~~(a) Medical charts;~~

~~(b) Radiological or imaging films; and~~

~~(c) Laboratory or other diagnostic test results)) The purpose of this section is to specify the limited circumstances in which:~~

~~(a) Fee-for-service or managed care clients can choose to self-pay for medical assistance services; and~~

~~(b) Providers (as defined in WAC 388-500-0005) have the authority to bill fee-for-service or managed care clients for medical assistance services furnished to those clients.~~

~~(2) The provider is responsible for:~~

~~(a) Verifying whether the client is eligible to receive medical assistance services on the date the services are provided;~~

~~(b) Verifying whether the client is enrolled with a department-contracted managed care organization (MCO);~~

~~(c) Knowing the limitations of the services within the scope of the eligible client's medical program (see WAC 388-501-0050 (4)(a) and 388-501-0065);~~

~~(d) Informing the client of those limitations;~~

~~(e) Exhausting all applicable department or department-contracted MCO processes necessary to obtain authorization for requested service(s);~~

~~(f) Ensuring that translation or interpretation is provided to clients with limited English proficiency (LEP) who agree to be billed for services in accordance with this section; and~~

~~(g) Retaining all documentation which demonstrates compliance with this section.~~

~~(3) Unless otherwise specified in this section, providers must accept as payment in full the amount paid by the department or department-contracted MCO for medical assistance services furnished to clients. See 42 CFR § 447.15.~~

~~(4) A provider must not bill a client, or anyone on the client's behalf, for any services until the provider has completed all requirements of this section, including the conditions of payment described in department's rules, the department's fee-for-service billing instructions, and the requirements for billing the department-contracted MCO in which the client is enrolled, and until the provider has then fully informed the client of his or her covered options. A provider must not bill a client for:~~

~~(a) Any services for which the provider failed to satisfy the conditions of payment described in department's rules,~~

the department's fee-for-service billing instructions, and the requirements for billing the department-contracted MCO in which the client is enrolled.

(b) A covered service even if the provider has not received payment from the department or the client's MCO.

(c) A covered service when the department denies an authorization request for the service because the required information was not received from the provider or the prescriber under WAC 388-501-0165 (7)(c)(i).

(5) If the requirements of this section are satisfied, then a provider may bill a fee-for-service or a managed care client for a covered service, defined in WAC 388-501-0050(9), or a noncovered service, defined in WAC 388-501-0050(10) and 388-501-0070. The client and provider must sign and date the DSHS form 13-879, Agreement to Pay for Healthcare Services, before the service is furnished. DSHS form 13-879, including translated versions, is available to download at <http://www1.dshs.wa.gov/msa/forms/eforms.html>. The requirements for this subsection are as follows:

(a) The agreement must:

(i) Indicate the anticipated date the service will be provided, which must be no later than ninety calendar days from the date of the signed agreement;

(ii) List each of the services that will be furnished;

(iii) List treatment alternatives that may have been covered by the department or department-contracted MCO;

(iv) Specify the total amount the client must pay for the service;

(v) Specify what items or services are included in this amount (such as pre-operative care and postoperative care). See WAC 388-501-0070(3) for payment of ancillary services for a noncovered service;

(vi) Indicate that the client has been fully informed of all available medically appropriate treatment, including services that may be paid for by the department or department-contracted MCO, and that he or she chooses to get the specified service(s);

(vii) Specify that the client may request an exception to rule (ETR) in accordance with WAC 388-526-2610 when the department denies a request for a noncovered service and that the client may choose not to do so;

(viii) Specify that the client may request an administrative hearing in accordance with WAC 388-526-2610 to appeal the department's denial of a request for prior authorization of a covered service and that the client may choose not to do so;

(ix) Be completed only after the provider and the client have exhausted all applicable department or department-contracted MCO processes necessary to obtain authorization of the requested service, except that the client may choose not to request an ETR or an administrative hearing regarding department denials of authorization for requested service(s); and

(ix) Specify which reason in subsection (b) below applies.

(b) The provider must select on the agreement form one of the following reasons (as applicable) why the client is agreeing to be billed for the service(s). The service(s) is:

(i) Not covered by the department or the client's department-contracted MCO and the ETR process as described in

WAC 388-501-0160 has been exhausted and the service(s) is denied;

(ii) Not covered by the department or the client's department-contracted MCO and the client has been informed of his or her right to an ETR and has chosen not to pursue an ETR as described in WAC 388-501-0160;

(iii) Covered by the department or the client's department-contracted MCO, requires authorization, and the provider completes all the necessary requirements; however the department denied the service as not medically necessary (this includes services denied as a limitation extension under WAC 388-501-0169); or

(iv) Covered by the department or the client's department-contracted MCO and does not require authorization, but the client has requested a specific type of treatment, supply, or equipment based on personal preference which the department or MCO does not pay for.

(c) For clients with limited English proficiency, the agreement must be the version translated in the client's primary language and interpreted if necessary. If the agreement is translated, the interpreter must also sign it;

(d) The provider must give the client a copy of the agreement and maintain the original and all documentation which supports compliance with this section in the client's file for six years from the date of service. The agreement must be made available to the department for review upon request; and

(e) If the service is not provided within ninety calendar days of the signed agreement, a new agreement must be completed by the provider and signed by both the provider and the client.

(6) There are limited circumstances in which a provider may bill a client without executing DSHS form 13-879, Agreement to Pay for Healthcare Services, as specified in subsection (5) of this section. The following are those circumstances:

(a) The client, the client's legal guardian, or the client's legal representative:

(i) Was reimbursed for the service directly by a third party (see WAC 388-501-0200); or

(ii) Refused to complete and sign insurance forms, billing documents, or other forms necessary for the provider to bill the third party insurance carrier for the service.

(b) The client represented himself/herself as a private pay client and not receiving medical assistance when the client was already eligible for and receiving benefits under a medical assistance program. In this circumstance, the provider must:

(i) Keep documentation of the client's declaration of medical coverage. The client's declaration must be signed and dated by the client, the client's legal guardian, or the client's legal representative; and

(ii) Give a copy of the document to the client and maintain the original for six years from the date of service, for department review upon request.

(c) The bill counts toward the financial obligation of the client or applicant (such as spenddown liability, client participation as described in WAC 388-513-1380, emergency medical expense requirement, deductible, or copayment required

by the department). See subsection (7) of this section for billing a medically needy client for spenddown liability;

(d) The client is under the department's or a department-contracted MCO's patient review and coordination (PRC) program (WAC 388-501-0135) and receives nonemergency services from providers or healthcare facilities other than those to whom the client is assigned or referred under the PRC program;

(e) The client is a dual-eligible client with medicare Part D coverage or similar creditable prescription drug coverage and the conditions of WAC 388-530-7700 (2)(a)(iii) are met;

(f) The services provided to a TAKE CHARGE or family planning only client are not within the scope of the client's benefit package;

(g) The services were noncovered ambulance services (see WAC 388-546-0250);

(h) A fee-for-service client chooses to receive nonemergency services from a provider who is not contracted with the department after being informed by the provider that he or she is not contracted with the department and that the services offered will not be paid by the client's healthcare program; and

(i) A department-contracted MCO enrollee chooses to receive nonemergency services from providers outside of the MCO's network without authorization from the MCO, i.e., a nonparticipating provider.

(7) Under chapter 388-519 WAC, an individual who has applied for medical assistance is required to spend down excess income on healthcare expenses to become eligible for coverage under the medically needy program. An individual must incur healthcare expenses greater than or equal to the amount that he or she must spend down. The provider is prohibited from billing the individual for any amount in excess of the spenddown liability assigned to the bill.

(8) There are situations in which a provider must refund the full amount of a payment previously received from or on behalf of an individual and then bill the department for the covered service that had been furnished. In these situations, the individual becomes eligible for a covered service that had already been furnished. Providers must then accept as payment in full the amount paid by the department or managed care organization for medical assistance services furnished to clients. These situations are as follows:

(a) The individual was not receiving medical assistance on the day the service was furnished. The individual applies for medical assistance later in the same month in which the service was provided and the department makes the individual eligible for medical assistance from the first day of that month;

(b) The client receives a delayed certification for medical assistance as defined in WAC 388-500-0005; or

(c) The client receives a certification for medical assistance for a retroactive period according to 42 CFR § 435.914 (a) and defined in WAC 388-500-0005.

(9) Regardless of any written, signed agreement to pay, a provider may not bill, demand, collect, or accept payment or a deposit from a client, anyone on the client's behalf, or the department for:

(a) Copying, printing, or otherwise transferring healthcare information, as the term healthcare information is

defined in chapter 70.02 RCW, to another healthcare provider. This includes, but is not limited to:

- (i) Medical/dental charts;
- (ii) Radiological or imaging films; and
- (iii) Laboratory or other diagnostic test results.
- (b) Missed, cancelled, or late appointments;
- (c) Shipping and/or postage charges;
- (d) "Boutique," "concierge," or enhanced service packages (e.g., newsletters, 24/7 access to provider, health seminars) as a condition for access to care; or
- (e) The price differential between an authorized service or item and an "upgraded" service or item (e.g., a wheelchair with more features; brand name versus generic drugs).

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

**WSR 10-04-109**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 [Filed February 3, 2010, 11:03 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-19-125.

Title of Rule and Other Identifying Information: The community services division is proposing to redefine incapacity by amending WAC 388-448-0050 PEP [step] II—How we determine the severity of mental impairments, 388-448-0080 PEP step V—How we determine your ability to function in a work environment if you have a mental impairment, 388-448-0090 PEP step V—How we determine your ability to function in a work environment if you have a physical impairment, 388-448-0100 PEP step VI—How we evaluate capacity to perform relevant past work, and 388-448-0110 PEP step VII—How we evaluate your capacity to perform other work.

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://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6094, on March 9, 2010, at 10:00 a.m.

Date of Intended Adoption: Not earlier than March 9, 2010.

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 DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on March 9, 2010.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS rules consultant, by February 23, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at [johnsj14@dshs.wa.gov](mailto:johnsj14@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department will propose amendments in order to more closely align the

general assistance incapacity criteria with the Social Security Administration disability criteria.

Reasons Supporting Proposal: The proposed amendments could help the department stay within budget appropriations for the program.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.005.

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, and 74.04.005.

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: Melissa Mathson, 712 Pear Street S.E., Olympia, WA 98503, (360) 725-4563.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These proposed rules do not have an economic impact on small businesses. The proposed amendments only affect DSHS clients by clarifying the description of medical evidence requirements to determine incapacity.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to ... rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

January 28, 2010

Don Goldsby, Manager  
 Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 09-11-078, filed 5/18/09, effective 6/18/09)

**WAC 388-448-0050 PEP step II—How we determine the severity of mental impairments.** If you are diagnosed with a mental impairment by a professional described in WAC 388-448-0020, we use information from the provider to determine ~~((if your))~~ how the impairment ((prevents you from being able to work)) directly affects work-related activities.

(1) We review the following psychological evidence to determine the severity of your mental impairment:

- (a) Psychosocial and treatment history records;
- (b) Clinical findings of specific abnormalities of behavior, mood, thought, orientation, or perception;
- (c) Results of psychological tests; and
- (d) Symptoms observed by the examining practitioner that show how your impairment affects your ability to perform basic work-related activities.

(2) We exclude diagnosis and related symptoms of alcohol or substance abuse or addiction;

(3) We exclude mental illness diagnoses that don't directly impair your ability to communicate, understand, and follow work instructions, such as:

- (a) Passive behaviors.
- (b) Learning deficits.

(4) If you are diagnosed with mental retardation, the diagnosis must be based on the Wechsler Adult Intelligence

Scale (WAIS). The following test results determine the severity rating:

Intelligence Quotient (IQ) Score	Severity Rating
<del>((85))</del> 76 or above	1
<del>((71))</del> 65 to <del>((84))</del> 75	3
<del>((70))</del> 64 or lower	5

~~((4))~~ (5) If you are diagnosed with a mental impairment with physical causes, we assign a severity rating based on the most severe of the following four areas of impairment:

- (a) Short term memory impairment;
- (b) Perceptual or thinking disturbances;
- (c) Disorientation to time and place; or
- (d) Labile, shallow, or coarse affect.

~~((5))~~ (6) We base the severity of a functional disorder on a clinical assessment of the intensity and frequency of symptoms that:

- (a) Affect your ability to perform basic work related activities; and
- (b) Are consistent with a diagnosis of a mental impairment as listed in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV).

~~((6))~~ (7) We base the severity rating for a functional mental impairment on accumulated severity ratings for the symptoms in subsection (5)(a) of this section as follows:

Symptom Ratings or Condition	Severity Rating
(a) <del>((The))</del> You are diagnosed with a functional <del>((mental impairment is diagnosed))</del> <u>disorder</u> with psychotic features;	3
(b) You have had two or more hospitalizations for psychiatric reasons in the past two years;	
(c) You have had more than six months of continuous psychiatric <del>((hospital))</del> <u>inpatient</u> or residential treatment in the past two years;	
(d) The <del>((overall assessment of symptoms is rated three; or</del>	
<del>((e))</del> At least three symptoms are rated <del>three or higher))</del> <u>objective evidence and global assessment of functional score are consistent with a significant limitation on performing work activities.</u>	
<del>((#))</del> (e) The <del>((overall assessment of symptoms is rated four; or</del>	4
<del>((g))</del> At least three symptoms are rated <del>four or five))</del> <u>objective evidence and global assessment of functioning score are consistent with very significant limitations on ability to perform work activities.</u>	

Symptom Ratings or Condition	Severity Rating
<del>((h))</del> (f) The <del>((overall assessment of symptoms is rated five; or</del>	5
<del>((i))</del> At least three symptoms are rated <del>five))</del> <u>objective evidence and global assessment of functioning score are consistent with the absence of ability to perform work activities.</u>	

~~((7))~~ (8) If you are diagnosed with any combination of mental retardation, mental impairment with physical causes, or functional mental impairment, we assign a severity rating as follows:

Condition	Severity Rating
(a) Two or more disorders with <u>moderate severity</u> ratings <del>((of three)); or</del>	4
(b) One or more disorders rated <del>((three))</del> <u>moderate severity</u> ; and one rated <del>((four))</del> <u>marked severity.</u>	
(c) Two or more disorders rated <del>((four))</del> <u>marked severity.</u>	5

~~((8))~~ (9) We deny incapacity when you haven't been diagnosed with a significant physical impairment and your overall mental severity rating is one or two;

~~((9))~~ (10) We approve incapacity when you have an overall mental severity rating of five.

**AMENDATORY SECTION** (Amending WSR 00-16-113, filed 8/2/00, effective 9/1/00)

**WAC 388-448-0080 PEP step V—How we determine your ability to function in a work environment if you have a mental impairment.** If you have a mental impairment we evaluate your cognitive and social functioning in a work setting. Functioning means your ability to perform ~~((the))~~ typical tasks that would be required ~~((of you on the))~~ in a routine job setting and your ability to ~~((get along with your coworkers, supervisors and other people you would be in contact with while on the job))~~ interact effectively while working.

(1) We evaluate cognitive ~~((factors))~~ and social functioning by assessing your ability to:

(a) Understand, remember, and persist in tasks by following simple ~~((one or two step))~~ instructions ~~((;))~~ of one or two steps.

(b) Understand, remember, and persists in tasks by following complex instructions ~~((; with))~~ of three or more steps ~~((;)).~~

(c) Learn new tasks ~~((;)).~~

(d) ~~((Exercise judgment and make decisions; and~~

~~((e)))~~ Perform routine tasks without undue supervision.

~~((2))~~ We approve incapacity when the practitioner's evaluation shows you are:

(a) At least moderately impaired in your ability to understand, remember, and follow simple instructions and at least moderately limited in your ability to:

(i) Learn new tasks, exercise judgment, and make decisions; and

(ii) Perform routine tasks without undue supervision; or

(b) Able to understand, remember, and follow simple instructions, but are:

(i) At least moderately impaired in the ability to understand, remember, and follow instructions with three or more steps; and

(ii) Markedly impaired in the ability to learn new tasks, exercise judgment and make decisions, and perform routine tasks without undue supervision.

(3) The practitioner's evaluation reports your social factors after assessing your ability to:

(a) Relate appropriately to coworkers and supervisors;

(b) Relate appropriately in contacts with the public;

(c) Tolerate the pressures of a work setting;

(d) Perform self care activities, including personal hygiene; and

(e) Maintain appropriate behavior in a work setting.

(4) We approve incapacity if you are rated at least two in one area of social functioning and at least three in all other areas of social functioning) (e) Interact safely and effectively in a work setting with public contact.

(f) Interact safely and effectively in a work setting with limited public contact.

(g) Perform effectively in a work setting.

**AMENDATORY SECTION** (Amending WSR 00-16-113, filed 8/2/00, effective 9/1/00)

**WAC 388-448-0090 PEP step V—How we determine your ability to function in a work environment if you have a physical impairment.** In Step V of the PEP we review the medical evidence you provide and make a determination of how your physical impairment prevents you from working. This determination is then used in Steps VI and VII of the PEP to determine your ability to perform either work you have done in the past or other work.

(1) "**Exertion level**" means ~~((the ability))~~ having strength, flexibility, and mobility to lift, carry, stand ~~((and))~~ or walk ~~((with the strength))~~ as needed to fulfill job duties in the following work ~~((categories))~~ levels. For this section, "occasionally" means less than one-third of the time and "frequently" means one-third to two-thirds of the time. ~~((We only consider your strength, mobility, and flexibility. We review any work limits you have in the following areas, and then assign an exertion level and determine exertional limitations:))~~

The following table is used to determine your exertion level. Included in this table is a strength factor, which is your ability to perform physical activities, as defined in Appendix C of the Dictionary of Occupational Titles (DOT), Revised Edition, published by the U.S. Department of Labor.

If you are able to:	Then we assign this exertion level
(a) <del>((Can not))</del> <u>Lift ((at least)) no more than two pounds or unable to stand ((and))</u> or walk.	Severely limited

If you are able to:	Then we assign this exertion level
(b) <del>((Can))</del> <u>Lift ten pounds maximum and frequently lift ((and))</u> or carry light-weight articles. Walking <del>((and))</del> <u>or</u> standing <del>((are))</del> <u>only ((required))</u> for brief periods.	Sedentary
(c) <del>((Can))</del> <u>Lift twenty pounds maximum and frequently lift ((and))</u> or carry objects weighing up to ten pounds. Walk six out of eight hours per day or stand during a significant portion of the workday <del>((, with))</del> . <u>Sitting and using pushing</u> or <u>pulling</u> arm or leg movements most of the day.	Light
(d) <del>((Can))</del> <u>Lift fifty pounds maximum and frequently lift ((and))</u> or carry up to twenty-five pounds.	Medium
(e) <del>((Can))</del> <u>Lift one hundred pounds maximum and frequently lift ((and))</u> or carry up to fifty pounds.	Heavy

(2) "**Exertionally related limitation**" means a restriction in mobility, agility or flexibility in the following twelve activities: Balancing, bending, climbing, crawling, crouching, handling, kneeling, pulling, pushing, reaching, sitting, and stooping. If you have exertionally related limitations, we consider them in determining your ability to work.

(3) "**Functional physical capacity**" means the degree of strength, agility, flexibility, and mobility you can apply to work-related activities. We consider the effect of the physical impairment on the ability to perform work-related activities when the physical impairment is assigned an overall severity rating of three or four. We determine functional physical capacity based on your exertional, exertionally related and nonexertional limitations. All limitations must be substantiated by the medical evidence and directly related to the diagnosed impairment(s).

(4) "**Nonexertional physical limitation**" means a restriction on work activities that does not affect strength, mobility, agility, or flexibility. Examples are:

(a) Environmental restrictions which could include, among other things, your inability to work in an area where you would be exposed to chemicals; and

(b) Workplace restrictions, such as impaired hearing or speech, which would limit the types of work environments you could work in.

**AMENDATORY SECTION** (Amending WSR 00-16-113, filed 8/2/00, effective 9/1/00)

**WAC 388-448-0100 PEP step VI—How we evaluate capacity to perform relevant past work.** If your overall severity rating is ~~((three))~~ moderate or ~~((four))~~ marked and we have reached this stage of the PEP and have not approved or denied your application, we decide if you can do the same or similar work as you have done in the past. We look at your



current physical and/or mental limitations from cognitive, social, and vocational factors to make this decision. Vocational factors are education, relevant work history, and age.

(1) We evaluate education in terms of formal schooling or other training to acquire skills that enables you to meet job requirements. We classify education as:

If you	Then your education level is
(a) <del>((Can not))</del> <u>Can't</u> read or write a simple communication, such as two sentences or a list of items.	Illiterate
(b) Have no formal schooling <u>or vocational training</u> beyond the <del>((eleventh))</del> <u>tenth</u> grade; or (c) <del>((Have))</del> <u>Had</u> participated in special education <u>in basic academic classes of reading, writing, or mathematics in high school.</u>	Limited education
(d) Have received a high school diploma or general equivalency degree (GED); or (e) Have received skills training and were awarded a certificate, degree or license.	High school and above level of education

(2) We evaluate your work experience to determine if you have relevant past work. "Relevant past work" means work ~~((that))~~:

(a) ~~((Is normally done for pay or profit. We exclude work done in a sheltered workshop, a job where you were given special consideration, or activities you may have performed as a student or homemaker.))~~ Defined as gainful employment per WAC 388-448-0010.

(b) Has been performed in the past ~~((five))~~ ten years~~((; and))~~.

(c) You ~~((have done))~~ performed long enough ~~((for you))~~ to ~~((have acquired))~~ acquire the knowledge and skills to continue performing the job. You must meet the specific vocational preparation level as defined in Appendix C of the Dictionary of Occupational Titles.

(3) For each relevant past work situation you have had, we determine:

(a) The exertional or skill requirements of the job~~((; and))~~.

Highest work level assigned by the practitioner	Your age	Your education level	<del>((Other vocational factors))</del>
Sedentary	Any age	<del>((Any level))</del> <u>Limited education or limited English proficiency (LEP)</u>	<del>((Does not apply))</del>
<del>((Light))</del>	<del>((Fifty and older))</del>	<del>((Any level))</del>	<del>((Does not apply))</del>
Light	<del>((Thirty-five))</del> <u>Fifty and older</u>	<del>((Illiterate))</del> <u>Limited education or LEP</u>	<del>((Does not apply))</del>
<del>((Light))</del>	<del>((Eighteen and older))</del>	<del>((Limited education))</del>	<del>((Does not have any past work))</del>

(b) Current cognitive, social, or nonexertional factors that significantly limit your ability to perform past work.

(4) After considering vocational factors, we ~~((approve or))~~ deny incapacity ~~((based on the following))~~ when you have:

<del>((If you))</del>	<del>((Then we take this action on incapacity))</del>
<del>((a))</del> <u>Have the physical or mental ability to perform past work and there is no significant cognitive, social or nonexertional limitation.</u>	<del>((Deny))</del>
<del>((b))</del> <u>Have recently acquired specific work skills through completion of vocational training, enabling you to work within your current physical or mental capacities.</u>	<del>((Deny))</del>
<del>((c))</del> <u>Are fifty-five years of age or older and have an impairment that is assigned an overall severity rating of at least three and do not have the physical or mental ability to perform past work or do not have work experience.</u>	<del>((Approve))</del>

(a) The physical and mental ability to perform past work and there is no significant cognitive, social or nonexertional limitation that would prevent you from performing past work; or

(b) Recently acquired specific work skills through completion of schooling or training, for jobs within your current physical or mental capacities.

AMENDATORY SECTION (Amending WSR 00-16-113, filed 8/2/00, effective 9/1/00)

**WAC 388-448-0110 PEP step VII—How we evaluate your capacity to perform other work.** If we decide you cannot do work that you've done before, we then decide if you can do any other work. ~~((In making this decision, we again consider vocational factors of age, education and limited English proficiency (LEP).))~~

(1) We approve incapacity if you have a physical impairment only and meet the vocational factors below:

Highest work level assigned by the practitioner	Your age	Your education level	((Other vocational factors))
((Medium))	((Fifty and older))	((Limited education))	((Does not have any past work))
Medium	Fifty-five and older	((Any level)) <u>Limited education or LEP</u>	((Does not apply))
((Heavy))	((Fifty five and older))	((Any level))	((Environmental restrictions apply))

(2) We approve incapacity when you have a moderate or marked mental health impairment only and ~~((meet the age and social functioning limitations below))~~ we have objective medical evidence, including a mental status exam (MSE) per WAC 388-448-0050, that demonstrates social or cognitive factors described in WAC 388-448-0080, interfere with working as follows:

((Social limitation))	((Age))
<del>((a) Can not appropriately relate to coworkers and supervisors (rated three); and (b) Can not tolerate the pressures of a work setting (rated four);)</del>	((Fifty years and older))
<del>((c) Can not tolerate the pressures for a work setting (rated five);)</del>	((Eighteen to fifty four))
<del>((d) A mental disorder severity rated four; (e) One or more symptoms from WAC 388-448-0050(4) (rated five); (f) Can not appropriately relate to coworkers and supervisors (rated three); and (g) Can not tolerate the pressures of a work setting (rated four);)</del>	((Eighteen to forty nine))

- (a) You have a moderate impairment in your ability to:
  - (i) Interact safely and effectively in a work setting with public contact.
  - (ii) Perform effectively in a work setting.
  - (iii) Understand, remember, and persist in tasks by following complex instructions of three or more steps.
- (b) You have marked impairment in your ability to:
  - (i) Interact safely and effectively in a work setting with limited public contact.
  - (ii) Perform effectively in a work setting.
- (c) You have a marked impairment in your ability to:
  - (i) Understand, remember, and persist in tasks by following simple instructions of one or two steps.
  - (ii) Perform routine tasks without undue supervision.
  - (iii) Interact safely and effectively in a work setting with limited public contact.

(3) We approve incapacity when you have ~~((both))~~ at least a moderate mental ~~((and))~~ health impairment, a moderate physical ~~((impairments))~~ impairment and ~~((vocational))~~ we have objective medical evidence, including a mental status exam (MSE) per WAC 388-448-0050, that demonstrate social or cognitive factors, as described in WAC 388-448-0080, interfere with working as follows:

((Your age)) <u>Work Level</u>	((Your education))	Your other restrictions
((Any age)) <u>Sedentary</u>	((Any level))	(a) <del>((Can not appropriately relate to coworkers and supervisors (rated three); and (b) Can not tolerate pressures of a work setting (rated four)))</del> You are moderately impaired in your ability to: (i) <u>Understand, remember, and persist in tasks by following complex instructions of three or more steps.</u> (ii) <u>Learn new tasks.</u> (iii) <u>Perform routine tasks without undue supervision.</u> (iv) <u>Interact safely.</u>
((Fifty or older)) <u>Light</u>	((Limited education))	<del>((c) Restricted to medium work level or less))</del> (b) You are markedly impaired in your ability to: (i) <u>Understand, remember, and persist in tasks by following complex instructions of three or more steps.</u> (ii) <u>Learn new tasks.</u> (iii) <u>Perform routine tasks without undue supervision.</u> (iv) <u>Interact safely and effectively in a work setting with public contact.</u>

<del>((Your age))</del> <u>Work Level</u>	<del>((Your education))</del>	Your other restrictions
<del>((Eighteen to forty-nine))</del> <u>Medium</u>	<del>((Limited education))</del>	<del>((d) Restricted to light work level))</del> <u>(c) You are markedly impaired in your ability to:</u> <u>(i) Understand, remember, and persist in tasks by following simple instructions of one or two steps.</u> <u>(ii) Learn new tasks.</u> <u>(iii) Perform routine tasks without undue supervision.</u>

~~((4) If we do not find that you are incapacitated by the end of Step VII of the PEP, an administrative review team (ART) makes the incapacity decision. The review team consists of two or more persons within the community service office (CSO) who are not in the position of providing direct eligibility or incapacity services to you. The ART reviews the medical evidence and your vocational factors:))~~

**WSR 10-04-110**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed February 3, 2010, 11:05 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 08-13-048.

Title of Rule and Other Identifying Information: The community services division is proposing to amend WAC 388-448-0030 What medical evidence do I need to provide? and 388-448-0040 PEP step I—Review of medical evidence required for eligibility determination.

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://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6094), on March 9, 2010, at 10:00 a.m.

Date of Intended Adoption: Not earlier than March 10, 2010.

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 DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on March 9, 2010.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS rules consultant, by February 23, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at [johnsj14@dshs.wa.gov](mailto:johnsj14@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing amendments to the description of medical evidence requirements needed to determine incapacity.

Reasons Supporting Proposal: These changes are needed to clarify and align the medical evidence rules with the intent of RCW 74.04.005.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.005, 74.04.050, 74.04.055, and 74.04.057.

Statute Being Implemented: RCW 74.08.090, 74.04-005, 74.04.050, 74.04.055, and 74.04.057.

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: Melissa Mathson, 712 Pear Street S.E., Olympia, WA 98503, (360) 725-4563.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These proposed rules do not have an economic impact on small businesses. The proposed amendments only affect DSHS clients by clarifying the description of medical evidence requirements to determine incapacity.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to ... rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

February 1, 2010

Don Goldsby, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 04-07-140, filed 3/22/04, effective 5/1/04)

**WAC 388-448-0030 What medical evidence do I need to provide?** You must provide medical evidence that clearly ~~((explains if))~~ shows you have an impairment and how that impairment prevents you from being capable of gainful employment. Medical evidence must be in writing and be clear, objective and complete.

- (1) Objective evidence for physical impairments means:
- ~~((For physical impairment: (i)))~~ Laboratory test results;
  - ~~((ii))~~ (b) Pathology reports;
  - ~~((iii))~~ (c) Radiology findings including results of X rays and computer imaging scans;
  - ~~((iv))~~ (d) Clinical finding, including but not limited to ranges of joint motion, blood pressure, temperature or pulse; and ~~((observations from))~~ documentation of a physical examination; or
  - ~~((v))~~ (e) Hospital history and physical reports and admission and discharge summaries; or
  - ~~((vi))~~ (f) Other medical history and physical reports related to your current impairments.
- ~~((b) For mental impairment: (i) Examination results including: (A))~~ (2) Objective evidence for mental impairments means:

(a) Clinical interview observations, including objective mental status exam results and interpretation~~((and))~~.

~~((B))~~ (b) Explanation of how examination findings meet the clinical and diagnostic criteria of the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM).

~~((ii))~~ (c) Hospital, outpatient and other treatment records related to your current impairments.

(d) Testing results, if any, including:

~~((A))~~ (i) Description and interpretation of tests of memory, concentration, cognition or intelligence; or

~~((B))~~ (ii) Interpretation of medical tests to identify or exclude a connection between the mental impairment and physical illness.

~~((2) To be complete,))~~ Medical evidence sufficient for an incapacity determination must be from a medical professional described in WAC 388-448-0020 and must include:

(a) A diagnosis for the impairment, or impairments, based on an examination performed within twelve months of application;

(b) A clear description of how the impairment relates to your ability to perform the work-related activities listed in WAC 388-448-0010(5) ~~((including signs and observations of drug or alcohol abuse and whether any limitations on ability to perform work-related activities would continue after sixty days of abstinence from use of drugs or alcohol));~~

(c) Documentation of how the impairment, or impairments, is currently limiting your ability to work based on an examination performed within the ninety days of the date of application or the forty-five days before the month of incapacity review; and

(d) Facts in addition to objective evidence to support the medical provider's opinion that you are unable to be gainfully employed, such as proof of hospitalization~~((and~~

~~((d) Based on an examination done within the ninety days of the date of application or the forty-five days prior to the month of incapacity review)).~~

~~((3))~~ (4) When making an incapacity decision, we do not use your report of symptoms as evidence unless objective evidence shows there is an impairment that could reasonably be expected to produce those symptoms.

~~((4))~~ (5) We don't use symptoms related to substance abuse or a diagnosis of addiction or chemical dependency when determining incapacity.

(6) We may use a diagnosis of a permanent impairment that is the result of substance abuse or addiction.

(7) If you ~~((cannot get))~~ can't obtain medical evidence of an impairment that prevents you from working without cost to you and you meet the eligibility conditions other than incapacity in WAC 388-400-0025, we pay the costs to obtain objective evidence based on our published payment limits and ~~((designated))~~ fee schedules.

~~((5))~~ (8) We decide incapacity based solely on the objective information we receive. We are not obligated to accept a decision that you are incapacitated or unemployable made by another agency or person.

(9) We can't use a statement from a medical professional to determine that you are incapacitated unless the statement is supported by objective medical evidence.

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

AMENDATORY SECTION (Amending WSR 00-16-113, filed 8/2/00, effective 9/1/00)

**WAC 388-448-0040 PEP step I—Review of medical evidence required for eligibility determination.** When we receive your medical evidence, we review it to see if it is ~~((complete and))~~ sufficient to decide whether your circumstances ~~((match GAU program))~~ meet incapacity requirements.

(1) We require a written medical report to determine incapacity. The report must:

(a) Contain sufficient information as described under WAC 388-448-0030;

(b) Be written by an authorized medical professional described in WAC 388-448-0020;

(c) Document the existence of a potentially incapacitating condition; and

(d) Indicate an impairment is expected to last ninety days or more from the application date.

(2) If the information received ~~((is not))~~ isn't clear, we may require more information before we decide your ability to be gainfully employed. As examples, we may require you to get more medical tests or be examined by a medical specialist.

(3) We deny incapacity ~~((when))~~ if:

(a) There is only one impairment ~~((with a))~~ and the severity rating is less than three;

(b) A reported impairment ~~((is not))~~ isn't expected to last ninety days (twelve weeks) or more from the date of application;

(c) ~~((The practitioner is not able to determine that the physical or mental impairment would remain incapacitating after at least sixty days of abstinence from alcohol and drugs))~~ The only impairment supported by objective medical evidence is drug or alcohol addiction; or

(d) We ~~((do not))~~ don't have clear and objective medical evidence to approve incapacity.

## WSR 10-04-115

### PROPOSED RULES

### STATE BOARD OF EDUCATION

[Filed February 3, 2010, 11:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-17-089.

Title of Rule and Other Identifying Information: Amending WAC 180-51-053 Community college high school diploma programs, due to amendments to RCW 28B.50.535 as set forth by SHB 1758.

Hearing Location(s): Highline Community College, 2400 South 240th Street, Des Moines, WA 98198, (206) 878-3710, <http://www.highline.edu/home/maps/>, on March 17, 2010, at 11:45 a.m.

Date of Intended Adoption: March 18, 2010.

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 March 8, 2010.

Assistance for Persons with Disabilities: Contact Brad Burnham by March 8, 2010, TTY (360) 664-3631 or (360) 725-6025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amending WAC 180-51-053 Community college high school diploma programs, due to amendments to RCW 28B.50.535 as set forth by SHB 1758. Prior to SHB 1758 community and technical colleges could issue a high school diploma to students if they met the state board of education's graduation requirements. Last session, SHB 1758 created two more options for community and technical colleges to issue a high school diploma. The changes require a revision to the board's rule concerning community college high school diploma programs (WAC 180-51-053). The proposed amendments to WAC 180-51-053 add two references to the new options in RCW 28B.50-535.

Reasons Supporting Proposal: See preceding paragraph.

Statutory Authority for Adoption: RCW 28A.230.090.

Statute Being Implemented: RCW 28A.230.090.

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 Enforcement: 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.

January 31, 2010  
Edith W. Harding  
Executive Director

AMENDATORY SECTION (Amending WSR 04-20-093, filed 10/5/04, effective 11/5/04)

**WAC 180-51-053 Community college high school diploma programs.** (1)(a) **Minimum requirements for high school diploma.** The minimum requirements and procedures for the issuance of a high school diploma by or through a community or technical college district shall be as prescribed by the state board of education in this section and chapters 180-51 and 180-56 WAC or as set forth in RCW 28B.50.535 (2) or (3).

(b) Any high school graduation diploma issued by or through a community or technical college district shall certify that the diploma is issued in compliance with high school graduation requirements established by the state board of education and procedures established by the superintendent

of public instruction or as set forth in RCW 28B.50.535 (2) or (3).

(2) **Provisions governing program for persons eighteen years of age and over.**

(a) The appropriate school district, community college, or technical college education official shall evaluate the previous educational records of the student and may provide evaluative testing to determine the student's educational level. The official shall recommend an appropriate course or courses of study and upon the successful completion of such study the student will be eligible for the high school diploma.

(b) Satisfaction of minimum course requirements may be met by one or more of the following methods with the applicable institution granting credit verifying completion of course requirements.

(i) Actual completion of courses regularly conducted in high school;

(ii) Technical college;

(iii) Community college;

(iv) Approved correspondence or extension courses;

(v) Supervised independent study; or

(vi) Testing in specific subject areas.

(c) The appropriate education official shall exercise reasonable judgment in appraising the educational experience of the student either in or out of a formal school program to determine the degree to which the student has satisfied the minimum credit requirements for completion of the high school program. Consideration may be given to work experience, vocational training, civic responsibilities discharged by the adult and other evidences of educational attainment.

(d) A high school diploma shall be granted to each individual who satisfactorily meets the requirements for high school completion. The diploma shall be issued by the appropriate school district, community college, or technical college: Records of diplomas issued under the provisions of this subsection shall be maintained by the issuing agency.

(3) Provisions governing program for persons under eighteen years of age.

(a) The high school principal shall evaluate the previous educational record of the individual and prior to his or her enrollment in courses and in cooperation with the appropriate education official of a community college or technical college shall approve the program of studies leading to the high school diploma.

(b) The student must be assigned a program supervisor.

**WSR 10-04-117**

**PROPOSED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Health and Recovery Services Administration)

[Filed February 3, 2010, 11:18 a.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: WAC 388-501-0050 Healthcare general coverage and 388-501-

0055 Healthcare coverage—How the department determines coverage of its healthcare programs using health technology assessments.

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 March 9, 2010, at 10:00 a.m.

Date of Intended Adoption: Not sooner than March 10, 2010.

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 DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on March 9, 2010.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS rules consultant, by February 23, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at johnsjl4@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Correcting errant WAC cross references.

Reasons Supporting Proposal: It will eliminate confusion for people who read these rules by directing them to the correct WAC citations.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

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: Wendy L. Boedigheimer, P.O. Box 45504, Olympia, WA 98504-5504, (360) 725-1306.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This is just a "housekeeping" change to correct errant WAC citations.

A cost-benefit analysis is not required under RCW 34.05.328. Because this is just a "housekeeping" change to correct errant WAC citations, it is exempt under RCW 34.05.328 (5)(b)(iv).

January 27, 2010

Don Goldsby, Manager

Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 09-23-112, filed 11/18/09, effective 12/19/09)

**WAC 388-501-0050 Healthcare general coverage.**

WAC 388-501-0050 through 388-501-0065 describe the healthcare services available to a client on a fee-for-service basis or to a client enrolled in a managed care organization (MCO) (defined in WAC 388-538-050). For the purposes of this section, healthcare services includes treatment, equipment, related supplies, and drugs. WAC 388-501-0070 describes noncovered services.

(1) Healthcare service categories listed in WAC 388-501-0060 do not represent a contract for healthcare services.

(2) For the provider to receive payment, the client must be eligible for the covered healthcare service on the date the healthcare service is performed or provided.

(3) Under the department's fee-for-service programs, providers must be enrolled with the department and meet the requirements of chapter 388-502 WAC to be paid for furnishing healthcare services to clients.

(4) The department pays only for the healthcare services that are:

(a) Within the scope of the client's medical program;

(b) Covered - see subsection ((8)) (9) of this section;

(c) Ordered or prescribed by a healthcare provider who meets the requirements of chapter 388-502 WAC;

(d) Medically necessary as defined in WAC 388-500-0005;

(e) Submitted for authorization, when required, in accordance with WAC 388-501-0163;

(f) Approved, when required, in accordance with WAC 388-501-0165;

(g) Furnished by a provider according to chapter 388-502 WAC; and

(h) Billed in accordance with department program rules and the department's current published billing instructions and numbered memoranda.

(5) The department does not pay for any healthcare service requiring prior authorization from the department, if prior authorization was not obtained before the healthcare service was provided; unless:

(a) The client is determined to be retroactively eligible for medical assistance; and

(b) The request meets the requirements of subsection (4) of this section.

(6) The department does not reimburse clients for healthcare services purchased out-of-pocket.

(7) The department does not pay for the replacement of department-purchased equipment, devices, or supplies which have been sold, gifted, lost, broken, destroyed, or stolen as a result of the client's carelessness, negligence, recklessness, or misuse unless:

(a) Extenuating circumstances exist that result in a loss or destruction of department-purchased equipment, devices, or supplies, through no fault of the client that occurred while the client was exercising reasonable care under the circumstances; or

(b) Otherwise allowed under chapter 388-500 WAC.

(8) The department's refusal to pay for replacement of equipment, device, or supplies will not extend beyond the limitations stated in specific department program rules.

**(9) Covered healthcare services**

(a) Covered healthcare services are either:

(i) "Federally mandated" - means the state of Washington is required by federal regulation (42 CFR 440.210 and 220) to cover the healthcare service for Medicaid clients; or

(ii) "State-option" - means the state of Washington is not federally mandated to cover the healthcare service but has chosen to do so at its own discretion.

(b) The department may limit the scope, amount, duration, and/or frequency of covered healthcare services. Limitation extensions are authorized according to WAC 388-501-0169.

**(10) Noncovered healthcare services**

(a) The department does not pay for any healthcare service:

(i) That federal or state laws or regulations prohibit the department from covering; or

(ii) Listed as noncovered in WAC 388-501-0070 or in any other program rule. The department evaluates a request for a noncovered healthcare service only if an exception to rule is requested according to the provisions in WAC 388-501-0160.

(b) When a noncovered healthcare ~~((services))~~ service is recommended during the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) exam and then ordered by a provider, the department evaluates the healthcare service according to the process in WAC 388-501-0165 to determine if it is medically necessary, safe, effective, and not experimental (see WAC 388-534-0100 for EPSDT rules).

**AMENDATORY SECTION** (Amending WSR 09-17-004, filed 8/6/09, effective 9/6/09)

**WAC 388-501-0055 Healthcare coverage—How the department determines coverage of services for its healthcare programs using health technology assessments.** (1)

The department uses health technology assessments in determining whether a new technology, new indication, or existing technology approved by the Food and Drug Administration (FDA) is a covered service under department healthcare programs. The department only uses health technology assessments when coverage is not mandated by federal or state law. A health technology assessment may be conducted by or on behalf of:

(a) The department; or

(b) The health technology assessment clinical committee (HTACC) according to RCW 70.14.080 through 70.14.140.

(2) The department reviews available evidence relevant to a medical or dental service or healthcare-related equipment and uses a technology evaluation matrix, in order to:

(a) Determine its efficacy, effectiveness, and safety;

(b) Determine its impact on health outcomes;

(c) Identify indications for use;

(d) Identify potential for misuse or abuse; and

(e) Compare to alternative technologies to assess benefit vs. harm and cost effectiveness.

(3) The department may determine the technology, device, or technology-related supply is:

(a) Covered (See WAC 388-501-0060 for the scope of coverage for department medical assistance programs.);

(b) Covered with authorization (See WAC 388-501-0165 for the process on how authorization is determined.);

(c) Covered with limitations (See WAC 388-501-0169 for how limitations can be extended.); or

(d) Noncovered (See WAC 388-501-0070 for the services determined to be noncovered.).

(4) The department may periodically review existing technologies, devices, or technology-related supplies and reassign authorization requirements as necessary according to the same provisions as outlined above for new technologies, devices, or technology-related supplies.

(5) The department evaluates the evidence and criteria presented by HTACC to determine whether a service is covered in accordance with WAC 388-501-0050 ~~((6))~~ (9) and ~~((7))~~ (10) and this section.

**WSR 10-04-118****PROPOSED RULES****STATE BOARD OF EDUCATION**

[Filed February 3, 2010, 11:19 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-23-115.

Title of Rule and Other Identifying Information: WAC 180-18-040 Waivers from minimum one hundred eighty-day school year requirement and student-to-teacher ratio requirement and 180-18-050 Procedure to obtain waiver.

Hearing Location(s): Highline Community College, 2400 South 240th Street, Des Moines, WA 98198, (206) 878-3710, <http://www.highline.edu/home/maps/>, on March 17, 2010, at 11:45 a.m.

Date of Intended Adoption: March 18, 2010.

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](mailto:brad.burnham@k12.wa.us), fax (360) 586-2357, by March 8, 2010.

Assistance for Persons with Disabilities: Contact Brad Burnham by March 8, 2010, TTY (360) 664-3631 or (360) 725-6025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed amendments to WAC 180-18-040 provide for the development and implementation of a waiver from the one hundred eighty-day school year requirement by an eligible school district that does not require the state board of education's approval. The requirements for obtaining this type of waiver are set forth in the proposed amendments to WAC 180-18-050. Additionally, the amendments to WAC 180-18-050 provide for thirty days advance notice to the board of a school district's intent to implement a plan providing for a waiver; a report by the district to the board ninety days after completion of the district's plan; and the requirements for eligibility for a subsequent waiver. A school district that does not meet the requirements for the proposed waiver will continue to have the option of submitting a request to the board for approval of a waiver from the one hundred eighty-day school year requirement under subsection (1) of WAC 180-18-040 and 180-18-050. The proposed amendments to subsection (2) of WAC 180-18-050 require that the application for a waiver to the board must now be received at least fifty days prior to the board's meeting at which it will be considered. The current rule provides for the application to be received within thirty days of the board's meeting.

Statutory Authority for Adoption: RCW 28A.305.140 and 28A.655.180.

Statute Being Implemented: RCW 28A.305.140, 28A.655.180.

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 Enforcement: 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.

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

February 1, 2010  
Edith W. Harding  
Executive Director

AMENDATORY SECTION (Amending WSR 07-20-030, filed 9/24/07, effective 10/25/07)

**WAC 180-18-040 Waivers from minimum one hundred eighty-day school year requirement and student-to-teacher ratio requirement.** (1) A district desiring to improve student achievement by enhancing the educational program for all students in the district or for individual schools in the district may apply to the state board of education for a waiver from the provisions of the minimum one hundred eighty-day school year requirement pursuant to RCW 28A.150.220(5) and WAC 180-16-215 by offering the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.150.220 in such grades as are conducted by such school district. The state board of education may grant said initial waiver requests for up to three school years.

(2) A district that is not otherwise ineligible as identified under WAC 180-18-050 (3)(b) may develop and implement a plan that meets the program requirements identified under WAC 180-18-050(3) to improve student achievement by enhancing the educational program for all students in the district or for individual schools in the district for a waiver from the provisions of the minimum one hundred eighty-day school year requirement pursuant to RCW 28A.150.220(5) and WAC 180-16-215 by offering the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.150.220 in such grades as are conducted by such school district.

(3) A district desiring to improve student achievement by enhancing the educational program for all students in the district or for individual schools in the district may apply to the state board of education for a waiver from the student-to-teacher ratio requirement pursuant to RCW 28A.150.250 and WAC 180-16-210, which requires the ratio of the FTE students to kindergarten through grade three FTE classroom teachers shall not be greater than the ratio of the FTE students to FTE classroom teachers in grades four through twelve. The state board of education may grant said initial waiver requests for up to three school years.

AMENDATORY SECTION (Amending WSR 07-20-030, filed 9/24/07, effective 10/25/07)

**WAC 180-18-050 Procedure to obtain waiver.** (1) State board of education approval of district waiver requests pursuant to WAC 180-18-030 and 180-18-040 (1) and (3) shall occur at a state board meeting prior to implementation. A district's waiver application shall be in the form of a resolution adopted by the district board of directors. The resolution shall identify the basic education requirement for which the waiver is requested and include information on how the waiver will support improving student achievement. The resolution shall be accompanied by information detailed in the guidelines and application form available on the state board of education's web site.

(2) The application for a waiver and all supporting documentation must be received by the state board of education at least ((thirty)) fifty days prior to the state board of education meeting where consideration of the waiver shall occur. The state board of education shall review all applications and supporting documentation to insure the accuracy of the information. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

(3)(a) Under this section, a district meeting the eligibility requirements may develop and implement a plan that meets the program requirements identified under this section and any additional guidelines developed by the state board of education for a waiver from the provisions of the minimum one hundred eighty-day school year requirement pursuant to RCW 28A.150.220(5) and WAC 180-16-215. The plan must be designed to improve student achievement by enhancing the educational program for all students in the district or for individual schools in the district by offering the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.150.220 in such grades as are conducted by such school district. This section will remain in effect only through August 31, 2018. Any plans for the use of waived days authorized under this section may not extend beyond August 31, 2018.

(b) A district identified by the superintendent of public instruction as having persistently low achieving schools will not be eligible to develop and implement a plan under this section.

(c) A district shall involve staff, parents, and community members in the development of the plan.

(d) The plan can span a maximum of three school years.

(e) The plan shall be consistent with the district's improvement plan and the improvement plans of its schools.

(f) A district shall hold a public hearing and have the school board approve the final plan in resolution form.

(g) The maximum number of waived days that a district may use is dependent on the number of learning improvement days, or their equivalent, funded by the state for any given school year. For any school year, a district may use a maximum of three waived days if the state does not fund any learning improvement days. This maximum number of waived days will be reduced for each additional learning improvement day that is funded by the state. When the state



funds three or more learning improvement days for a school year, then no days may be waived under this section.

<u>Scenario</u>	<u>Number of learning improvement days funded by state for a given school year</u>	<u>Maximum number of waived days allowed under this section for the same school year</u>
<u>A</u>	<u>0</u>	<u>3</u>
<u>B</u>	<u>1</u>	<u>2</u>
<u>C</u>	<u>2</u>	<u>1</u>
<u>D</u>	<u>3 or more</u>	<u>0</u>

(h) The plan shall include goals that can be measured through established data collection practices and assessments. At a minimum, the plan shall include goal benchmarks and results that address the following subjects or issues:

(i) Increasing student achievement on state assessments in reading, mathematics, and science for all grades tested;

(ii) Reducing the achievement gap for student sub-groups;

(iii) Improving on-time and extended high school graduation rates (only for districts containing high schools).

(i) Under this section, a district shall only use one or more of the following strategies in its plan to use waived days:

(i) Use evaluations that are based in significant measure on student growth to improve teachers' and school leaders' performance;

(ii) Use data from multiple measures to identify and implement comprehensive, research-based, instructional programs that are vertically aligned from one grade to the next as well as aligned with state academic standards;

(iii) Promote the continuous use of student data (such as from formative, interim, and summative assessments) to inform and differentiate instruction to meet the needs of individual students;

(iv) Implement strategies designed to recruit, place, and retain effective staff;

(v) Conduct periodic reviews to ensure that the curriculum is being implemented with fidelity, is having the intended impact on student achievement, and is modified if ineffective;

(vi) Increase graduation rates through, for example, credit-recovery programs, smaller learning communities, and acceleration of basic reading and mathematics skills;

(vii) Establish schedules and strategies that increase instructional time for students and time for collaboration and professional development for staff;

(viii) Institute a system for measuring changes in instructional practices resulting from professional development;

(ix) Provide ongoing, high-quality, job-embedded professional development to staff to ensure that they are equipped to provide effective teaching;

(x) Develop teacher and school leader effectiveness;

(xi) Implement a school-wide "response-to-intervention" model;

(xii) Implement a new or revised instructional program;

(xiii) Improve student transition from middle to high school through transition programs or freshman academies;

(xiv) Develop comprehensive instructional strategies;

(xv) Extend learning time and community oriented schools.

(j) The plan must not duplicate activities and strategies that are otherwise provided by the district through the use of early-release days.

(k) A district shall provide notification to the state board of education thirty days prior to implementing a new plan. The notification shall include the approved plan in resolution form signed by the superintendent, the chair of the school board, and the president of the local education association; include a statement indicating the number of certificated employees in the district and that all such employees will be participating in the strategy or strategies implemented under the plan for a day that is subject to a waiver, and any other required information. The approved plan shall, at least, include the following:

(i) Members of the plan's development team;

(ii) Dates and locations of public hearings;

(iii) Number of school days to be waived and for which school years;

(iv) Number of early-release days to be eliminated, if applicable;

(v) Description of the measures and standards used to determine success and identification of expected benchmarks and results;

(vi) Description of how the plan aligns with the district and school improvement plans;

(vii) Description of the content and process of the strategies to be used to meet the goals of the waiver;

(viii) Description of the innovative nature of the proposed strategies;

(ix) Details about the collective bargaining agreements, including the number of professional development days (district-wide and individual teacher choice), full instruction days, early-release days, and the amount of other noninstruction time; and

(x) Include how all certificated staff will be engaged in the strategy or strategies for each day requested.

(l) Within ninety days of the conclusion of an implemented plan a school district shall report to the state board of education on the degree of attainment of the plan's expected benchmarks and results and the effectiveness of the implemented strategies. The district may also include additional information, such as investigative reports completed by the district or third-party organizations, or surveys of students, parents, and staff.

(m) A district is eligible to create a subsequent plan under this section if the summary report of the enacted plan shows improvement in, at least, the following plan's expected benchmarks and results:

(i) Increasing student achievement on state assessments in reading and mathematics for all grades tested;

(ii) Reducing the achievement gap for student sub-groups;

(iii) Improving on-time and extended high school graduation rates (only for districts containing high schools).

(n) A district eligible to create a subsequent plan shall follow the steps for creating a new plan under this section. The new plan shall not include strategies from the prior plan

that were found to be ineffective in the summary report of the prior plan. The summary report of the prior plan shall be provided to the new plan's development team and to the state board of education as a part of the district's notification to use a subsequent plan.

(o) A district that is ineligible to create a subsequent plan under this section may submit a request for a waiver to the state board of education under WAC 180-18-040(1) and subsections (1) and (2) of this section.

**WSR 10-04-119**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Health and Recovery Services Administration)  
[Filed February 3, 2010, 11:20 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-22-046.

Title of Rule and Other Identifying Information: Amending WAC 388-527-2730 Definitions, 388-527-2733 Estate liability, 388-527-2737 Deferring recovery, 388-527-2742 Services subject to recovery, 388-527-2754 Assets not subject to recovery and other limits on recovery, 388-527-2790 Filing liens, and 388-527-2820 Liens prior to death.

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 March 9, 2010, at 10:00 a.m.

Date of Intended Adoption: Not sooner than March 10, 2010.

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 DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on March 9, 2010.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS rules consultant, by February 23, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at [johnsj14@dshs.wa.gov](mailto:johnsj14@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The chapter is intended to assure that medicaid resources will be available to those who truly need them by helping to ensure that those with resources can contribute to the cost of their long-term care (LTC). These amendments (1) remove medicare cost savings from estate recovery; (2) allow for future implementation of the LTC partnership agreement which will permit clients to protect assets or resources from both eligibility for LTC services and from estate recovery at the time of death through the purchase of a qualified LTC partnership agreement insurance policy; and (3) improve quality of care for DSHS clients through the application of agency policy that is transparent, consistent, cost-effective and complies with federal regulations.

Reasons Supporting Proposal: These proposed rules are necessary to comply with rule changes enacted under the 2008 Medicare Improvements for Patients and Providers Act which amended Section 1917 (b)(1)(B)(ii) of the Social Security Act to eliminate medicare cost-sharing expenses from estate recovery and incorporate language regarding LTC partnership agreements approved under the Deficit Reduction Act of 2005. These permanent rules will replace the emergency rule currently in place under WSR 10-03-021.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Rule is necessary because of federal law, 42 USC 1396p (b)(1)(B)(ii), P.L. 109-171 (the Deficit Reduction Act of 2005).

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

Name of Agency Personnel Responsible for Drafting: Wendy L. Boedigheimer, P.O. Box 45504, Olympia, WA 98504-5504, (360) 725-1306; Implementation and Enforcement: Shawn Hoage, P.O. Box 45862, Olympia, WA 98504-5862, (360) 664-5483.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department analyzed the proposed rule amendments and concludes that they will impose no new costs on small businesses. The preparation of a comprehensive small business economic impact statement is not required.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Shawn Hoage, Office of Financial Recovery, P.O. Box 45862, Olympia, WA 98504-5862, phone (360) 664-5483, fax (360) 586-9727, e-mail [hoagesl@dshs.wa.gov](mailto:hoagesl@dshs.wa.gov).

January 29, 2010

Don Goldsby, Manager

Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 09-07-038, filed 3/10/09, effective 4/10/09)

**WAC 388-527-2730 Definitions.** The following definitions apply to this chapter:

**"Contract health service delivery area (CHSDA)"** means the geographic area within which contract health services will be made available by the Indian Health Service to members of an identified Indian community who reside in the area as identified in 42 C.F.R. Sec. 136.21(d) and 136.22.

**"Domestic partner"** means an adult who meets the requirements for a valid registered domestic partnership as established by RCW 26.60.030 and who has been issued a certificate of state registered domestic partnership by the Washington Secretary of State. When the terms "domestic partner" or "domestic partnership" are used in this chapter, they mean "state registered domestic partner" or "state registered domestic partnership."

**"Estate"** means all property and any other assets that pass upon the client's death under the client's will or by intestate succession pursuant to chapter 11.04 RCW or under chapter 11.62 RCW. The value of the estate will be reduced

by any valid liability against the decedent's property at the time of death. An estate also includes:

(1) For a client who died after June 30, 1995 and before July 27, 1997, nonprobate assets as defined by RCW 11.02.005, except property passing through a community property agreement; or

(2) For a client who died after July 26, 1997 and before September 14, 2006, nonprobate assets as defined by RCW 11.02.005.

(3) For a client who died on or after September 14, 2006, nonprobate assets as defined by RCW 11.02.005 and any life estate interest held by the recipient immediately before death.

**"Heir"** means the decedent's surviving spouse and children (natural and adopted); or those persons who are entitled to inherit the decedent's property under a will properly executed under RCW 11.12.020 and accepted by the probate court as a valid will.

**"Joint tenancy"** means ownership of property held under circumstances that entitle one or more owners to the whole of the property on the death of the other owner(s), including, but not limited to, joint tenancy with right of survivorship.

**"Life estate"** means an ownership interest in a property only during the lifetime of the person(s) owning the life estate. In some cases, the ownership interest lasts only until the occurrence of some specific event, such as remarriage of the life estate owner. A life estate owner may not have the legal title or deed to the property, but may have rights to possession, use, income and/or selling their life estate interest in the property.

**"Lis pendens"** means a notice filed in public records warning that title to certain real property is in litigation and the outcome of the litigation may affect the title.

**"Long-term care services"** means, for the purposes of this chapter only, the services administered directly or through contract by the department of social and health services for clients of the home and community services division and division of developmental disabilities including, but not limited to, nursing facility care and home and community services.

**"Medicaid"** means the state and federally funded program that provides medical services under Title XIX of the Federal Social Security Act.

**"Medical assistance"** means ~~((both))~~ ~~medicaid~~ ~~((and medical care))~~ services funded under title XIX or state-funded medical services.

**"Medicare Savings programs"** means the programs described in WAC 388-517-0300 that help a client pay some of the costs that medicare does not cover.

**"Property":** Examples include, but are not limited to, personal property, real property, title property, and trust property as described below:

(1) **"Personal property"** means any property that is not classified as real, title, or trust property in the definitions provided here;

(2) **"Real property"** means land and anything growing on, attached to, or erected thereon;

(3) **"Title property"** means, for the purposes of this chapter only, property with a title such as motor homes, mobile homes, boats, motorcycles, and vehicles.

(4) **"Trust property"** means any type of property interest titled in, or held by, a trustee for the benefit of another person or entity.

**"State-only funded long-term care"** means the long-term care services that are financed with state funds only.

**"Qualified long-term care insurance partnership"** means an agreement between the centers for medicare and medicaid services (CMS), the Washington state insurance commission which allows for the disregard of any assets or resources in an amount equal to the insurance benefit payments that are made to or on behalf of an individual who is a beneficiary under a long-term care insurance policy that has been determined by the Washington state insurance commission to meet the requirements of section 1917 (b)(1)(C)(iii) of the act.

**AMENDATORY SECTION** (Amending WSR 04-10-060, filed 4/30/04, effective 6/1/04)

**WAC 388-527-2733 Estate liability.** (1) The client's estate is not liable for services provided before July 26, 1987.

(2) The client's estate is not liable when the client died before July 1, 1994 and on the date of death there was:

(a) A surviving spouse; or

(b) A surviving child who was either:

(i) Under twenty-one years of age; or

(ii) Blind or disabled as defined under chapter 388-511 WAC.

(3) The estate of a frail elder or vulnerable adult under RCW 74.34.005 is not liable for the cost of adult protective services (APS) financed with state funds only.

(4) On or before December 31, 2009, the client's estate is not liable for amounts paid for medicare premiums and other cost-sharing expenses incurred on behalf of a client who is eligible only for the medicare savings programs (MSP), and not otherwise medicaid eligible.

(5) On or after January 1, 2010, the client's estate is not liable for amounts paid for medical assistance cost-sharing for benefits for clients who received coverage under a MSP only or for clients who receive coverage under a medicare savings program and medicaid as described in 42 USC 1396a (a)(10)(E).

**AMENDATORY SECTION** (Amending WSR 09-07-038, filed 3/10/09, effective 4/10/09)

**WAC 388-527-2737 Deferring recovery.** (1) For a client who died after June 30, 1994, the department defers recovery from the estate until:

(a) The death of the surviving spouse, if any; and

(b) There is no surviving child who is:

(i) Twenty years of age or younger; or

(ii) Blind or disabled at the time of the client's death, as defined under WAC 388-475-0050.

~~((2) The department may place a lien against property to evidence the department's right to recover after the deferral period specified in subsection (1) of this section.))~~

AMENDATORY SECTION (Amending WSR 06-17-075, filed 8/14/06, effective 9/14/06)

**WAC 388-527-2742 Services subject to recovery.** The department considers the medical services the client received and the dates when the services were provided to the client, in order to determine whether the client's estate is liable for the cost of medical services provided. Subsection (1) of this section covers liability for medicaid services (~~(and)~~), subsection (2) covers liability for state-only funded long-term care services, and subsection (3) covers liability for all other state-funded services. An estate can be liable under (~~both~~) any of these subsections.

(1) The client's estate is liable for:

(a) All medicaid services provided from July 26, 1987 through June 30, 1994;

(b) The following medicaid services provided after June 30, 1994 and before July 1, 1995:

(i) Nursing facility services;

(ii) Home and community-based services; and

(iii) Hospital and prescription drug services provided to a client while receiving nursing facility services or home and community-based services.

(c) The following medicaid services provided after June 30, 1995 and before June 1, 2004:

(i) Nursing facility services;

(ii) Home and community-based services;

(iii) Adult day health;

(iv) Medicaid personal care;

(v) Private duty nursing administered by the aging and disability services administration of the department; and

(vi) Hospital and prescription drug services provided to a client while receiving services described under (c)(i), (ii), (iii), (iv), or (v) of this subsection.

(d) The following services provided on and after June 1, 2004 through December 31, 2009:

(i) All medicaid services, including those services described in subsection (c) of this section;

(ii) Medicare savings programs services for individuals also receiving medicaid;

(iii) Medicare premiums only for individuals also receiving medicaid; and

(iv) Premium payments to managed care organizations.

(e) The following services provided on or after January 1, 2010:

(i) All medicaid services except those defined under subsection (d)(ii) and (d)(iii) of this section;

(ii) All institutional medicaid services described in subsection (c) of this section;

(iii) Premium payments to managed care organizations; and

(iv) The client's proportional share of the state's monthly contribution to the centers for medicare and medicaid services (CMS) to defray the costs for outpatient prescription drug coverage provided to a person who is eligible for medicare Part D and medicaid.

(2) The client's estate is liable for all state-only funded long-term care services and related hospital and prescription drug services provided to:

(a) Home and community services' clients on and after July 1, 1995; and

(b) Division of developmental disabilities' clients on and after June 1, 2004.

(3) The client's estate is liable for all state-funded services provided regardless of the age of the client at the time the services were provided.

AMENDATORY SECTION (Amending WSR 04-10-060, filed 4/30/04, effective 6/1/04)

**WAC 388-527-2754 Assets not subject to recovery and other limits on recovery.** (1) Recovery does not apply to the first fifty thousand dollars of the estate value at the time of death and is limited to thirty-five percent of the remaining value of the estate for services the client:

(a) Received before July 25, 1993; and

(b) When the client died with:

(i) No surviving spouse;

(ii) No surviving child who is:

(A) Under twenty-one years of age;

(B) Blind; or

(C) Disabled.

(iii) A surviving child who is twenty-one years of age or older.

(2) For services received after July 24, 1993, all services recoverable under WAC 388-527-2742 will be recovered, even from the first fifty thousand dollars of estate value that is exempt above, except as set forth in subsections (3) through (8) of this section.

(3) For a client who received services after July 24, 1993 and before July 1, 1994, the following property, up to a combined fair market value of two thousand dollars, is not recovered from the estate of the client:

(a) Family heirlooms;

(b) Collectibles;

(c) Antiques;

(d) Papers;

(e) Jewelry;

(f) Photos; and

(g) Other personal effects of the deceased client and to which a surviving child is entitled.

(4) Certain properties belonging to American Indians/Alaska Natives (AI/AN) are exempt from estate recovery if at the time of death:

(a) The deceased client was enrolled in a federally recognized tribe; and

(b) The estate or heir documents the deceased client's ownership interest in trust or nontrust real property and improvements located on a reservation, near a reservation as designated and approved by the Bureau of Indian Affairs of the U.S. Department of the Interior, or located:

(i) Within the most recent boundaries of a prior federal reservation; or

(ii) Within the Contract Health Service Delivery Area boundary for social services provided by the deceased client's tribe to its enrolled members.

(5) Protection of trust and nontrust property under subsection (4) is limited to circumstances when the real property and improvements pass from an Indian (as defined in 25 U.S.C. Chapter 17, Sec. 1452(b)) to one or more relatives (by blood, adoption, or marriage), including Indians not enrolled

as members of a tribe and non-Indians, such as spouses and step-children, that their culture would nonetheless protect as family members, to a tribe or tribal organization and/or to one or more Indians.

(6) Certain AI/AN income and resources (such as interests in and income derived from tribal land and other resources currently held in trust status and judgment funds from the Indian Claims Commission and the U.S. Claims Court) are exempt from estate recovery by other laws and regulations.

(7) Ownership interests in or usage rights to items that have unique religious, spiritual, traditional, and/or cultural significance or rights that support subsistence or a traditional life style according to applicable Tribal law or custom.

(8) Government reparation payments specifically excluded by federal law in determining eligibility are exempt from estate recovery as long as such funds have been kept segregated and not commingled with other countable resources and remain identifiable.

(9) Assets protected under a qualified long term care partnership agreement.

AMENDATORY SECTION (Amending WSR 06-17-075, filed 8/14/06, effective 9/14/06)

**WAC 388-527-2790 Filing liens.** (1) The department ~~((files))~~ may file liens ~~((, seeks adjustments, and uses other means))~~ to recover the cost of medical assistance or state-only funded long-term care services, or both, correctly paid on behalf of a client consistent with 42 U.S.C. 1396p and chapters 43.20B RCW and 388-527 WAC.

(2) Prior to the department filing a lien under this section, the department sends a notice via first class mail to:

(a) The address of the property and other assets subject to the lien;

(b) The probate estate's personal representative, if any;

(c) Any other person known to have title to the affected property and/or to the decedent's heir(s) as defined by WAC 388-527-2730; and

(d) The decedent's last known address or the address listed on the title, if any.

(3) The notice in subsection (2) of this section includes:

(a) The decedent's name, identification number, date of birth, and date of death;

(b) The amount of medical assistance or state-only funded long-term care services, or both, correctly paid on behalf of the deceased client that the department seeks to recover;

(c) The department's intent to file a lien against the deceased client's property and other assets to recover the amount of medical assistance or state-only funded long-term care services, or both, correctly paid on behalf of the deceased client;

(d) The county in which the property and other assets are located; and

(e) The procedures to contest the department's decision to file a lien by applying for an administrative hearing.

(4) An administrative hearing only determines:

(a) Whether the medical assistance or state-only funded long-term care services, or both, correctly paid on behalf of the decedent alleged by the department's notice is correct;

(b) Whether the decedent had legal title to the property; and

(c) Whether a lien is allowed under the provisions of Title 42 USC Section 1396p (a) and (b).

(5) A request for an administrative hearing must:

(a) Be in writing;

(b) State the basis for contesting the lien;

(c) Be signed by the requester and must include the requester's address and telephone number; and

(d) Be served to the office of financial recovery (OFR) as described in WAC 388-527-2870, within twenty-eight calendar days of the date the department mailed the notice.

(6) Upon receiving a request for an administrative hearing, the department notifies persons known to have title to the property and other assets of the time and place of the administrative hearing.

(7) Disputed assets must not be distributed while in litigation.

(8) An administrative hearing under this section is governed by chapters 34.05 RCW and 388-02 WAC and this section. If a provision in this section conflicts with a provision in chapter 388-02 WAC, the provision in this section governs.

~~((8))~~ (9) If an administrative hearing is conducted in accordance with this regulation, and the final agency decision is issued, the department only files a lien against the decedent's property and other assets only if upheld by the final agency decision.

~~((9))~~ (10) If no known title holder requests an administrative hearing, the department files a lien twenty-eight calendar days after the date the department mailed the notice described in subsection (2) of this section.

AMENDATORY SECTION (Amending WSR 09-07-038, filed 3/10/09, effective 4/10/09)

**WAC 388-527-2820 Liens prior to death.** (1) Subject to the requirements of 42 USC Section 1396p and the conditions of this section, the department is authorized to file a lien against the property of a medical assistance client prior to his or her death, and to seek adjustment and recovery from the client's estate or sale of the property subject to the lien if:

(a) The client is permanently an inpatient in a nursing facility, intermediate care facility for individuals with mental retardation, or other medical institution as described in WAC 388-500-0005;

(b) The department determines, after notice and opportunity for a hearing, that the client cannot reasonably be expected to be discharged from the medical institution and return home; and

(c) None of the following are lawfully residing, in the client's home:

(i) The client's spouse or domestic partner;

(ii) The client's child who at the time of the client's death is twenty years of age or younger, or is blind or permanently and totally disabled as defined in Title 42 USC Section 1382c; or

(iii) A sibling of the client (who has an equity interest in such home and who was residing in the client's home for a period of at least one year immediately before the date of the client's admission to the medical institution).

(2) If the client is discharged from the medical facility and returns home, the department dissolves the lien.

(3) Prior to the department filing a lien under this section, the department sends a notice via first class mail to:

(a) The address of the property and other assets subject to the lien;

(b) The client's known address;

(c) Any other person known to have title to the affected property and the client's authorized representative, if any.

(4) The notice in subsection (3) of this section includes:

(a) The client's name, and the date the client began to receive services;

(b) The department's intent to file a lien against the client's property to recover the amount of medical assistance or state-only funded long-term care services, or both correctly paid on behalf of the client;

(c) The county in which the property and other assets are located; and

(d) The procedures to contest the department's decision to file a lien by applying for an administrative hearing.

(5) An administrative hearing only determines:

(a) Whether the medical assistance or state-only funded long-term care services, or both, on behalf of the decedent alleged by the department's notice is correct; and

(b) Whether the decedent had legal title to the identified property.

(6) A request for an administrative hearing must:

(a) Be in writing;

(b) State the basis for contesting the lien;

(c) Be signed by the requester and must include the requester's address and telephone number; and

(d) Be served to the office of financial recovery (OFR) as described in WAC 388-527-2870, within twenty-eight calendar days of the date the department mailed the notice.

(7) Upon receiving a request for an administrative hearing, the department notifies persons known to have title to the property of the time and place of the administrative hearing.

(8) Distributed assets must not be distributed while in litigation.

(9) An administrative hearing under this subsection is governed by chapters 34.05 RCW and 388-02 WAC and this section. If a provision in this section conflicts with a provision in chapter 388-02 WAC, the provision in this section governs.

~~((9))~~ (10) If an administrative hearing is conducted in accordance with this regulation, and the final agency decision is issued, the department only files a lien against the client's property and other assets only if upheld by the final agency decision.

~~((10))~~ (11) If no known title holder requests an administrative hearing, the department files a lien twenty-eight calendar days after the date the department mailed the notice described in subsection (3) of this section.

**WSR 10-04-121**  
**PROPOSED RULES**  
**COLUMBIA RIVER**  
**GORGE COMMISSION**

[Filed February 3, 2010, 11:23 a.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: Repealing 350-90-010, 350-90-020, 350-90-030, 350-90-040, 350-90-050, 350-90-060, 350-90-070, 350-90-080, 350-90-090, 350-90-100, 350-90-110, 350-90-120, 350-90-130, 350-90-140, 350-90-150, 350-90-160, 350-90-170, 350-90-180, 350-90-190, 350-90-200, 350-90-210, 350-90-220, 350-90-230, 350-90-240, 350-90-250, 350-90-260, 350-90-270, 350-90-280, 350-90-290, 350-90-300, 350-90-310, 350-90-320, 350-90-330, 350-90-340, 350-90-350, 350-90-360, 350-90-370, 350-90-380, 350-90-390, 350-90-400, 350-90-410, 350-90-420, 350-90-430, 350-90-440, 350-90-450, 350-90-460, 350-90-470, 350-90-480, 350-90-490, 350-90-500, 350-90-510, 350-90-520, 350-90-530, 350-90-540, 350-90-550, 350-90-560, 350-90-570, 350-90-580, 350-90-590, 350-90-600, 350-90-610, 350-90-620, 350-90-630, 350-100-010, 350-100-020, 350-100-030, 350-100-040, 350-100-050, 350-100-060, 350-100-070, 350-100-080, 350-100-090, 350-100-100, 350-100-110, 350-100-120, 350-100-130, 350-100-140, 350-100-150, 350-100-160, 350-100-170, 350-100-180, 350-100-190, 350-100-200, 350-100-210, 350-100-220, 350-100-230, 350-100-240, 350-100-250, 350-100-260, 350-100-270, 350-100-280, 350-100-290, 350-100-300, 350-100-310, 350-100-320, 350-100-330, 350-100-340, 350-100-350, 350-100-360, 350-100-370, 350-100-380, 350-100-390, 350-100-400, 350-100-410, 350-100-420, 350-100-430, 350-100-440, 350-100-450, 350-100-460, 350-100-470, 350-100-480, 350-100-490, 350-100-500, 350-100-510, 350-100-520, 350-100-530, 350-100-540, 350-100-550, 350-100-560, 350-100-570, 350-100-580, 350-100-590, 350-100-600, 350-100-610, 350-100-620, 350-100-630, 350-110-010, 350-110-020, 350-110-030, 350-110-040, 350-110-050, 350-110-060, 350-110-070, 350-110-080, 350-110-090, 350-110-100, 350-110-110, 350-110-120, 350-110-130, 350-110-140, 350-110-150, 350-110-160, 350-110-170, 350-110-180, 350-110-190, 350-110-200, 350-110-210, 350-110-220, 350-110-230, 350-110-240, 350-110-250, 350-110-260, 350-110-270, 350-110-280, 350-110-290, 350-110-300, 350-110-310, 350-110-320, 350-110-330, 350-110-340, 350-110-350, 350-110-360, 350-110-370, 350-110-380, 350-110-390, 350-110-400, 350-110-410, 350-110-420, 350-110-430, 350-110-440, 350-110-450, 350-110-460, 350-110-470, 350-110-480, 350-110-490, 350-110-500, 350-110-510, 350-110-520, 350-110-530, 350-110-540, 350-110-550, 350-110-560, 350-110-570, 350-110-580, 350-110-590, 350-110-600, 350-110-610, 350-110-620, and 350-110-630.

Hearing Location(s): Rock Creek Center, 710 S.W. Rock Creek Drive, Stevenson, WA, on April 13, 2010, at 9:00 a.m. (Note this is the beginning of the commission's regular meeting. The actual hearing time may be later.)

Date of Intended Adoption: April 13, 2010.

Submit Written Comments to: Jill Arens, Executive Director, P.O. Box 730, White Salmon, WA 98672, e-mail crgc@gorge.net, fax (509) 493-2229, by April 9, 2010.

Assistance for Persons with Disabilities: Contact Nancy Andring by April 2, 2010, (509) 493-3323.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The commission is repealing 350-90, 350-100, and 350-110. The commission used these rules in the mid-1990s to regulate land use development in Hood River, Clark, and Wasco counties. All three of these counties now administer their own land use ordinances, which replace the commission's administration of these rules. Rule 350-081-0012 authorizes the commission to regulate land use development in these counties again if these counties repeal their scenic area land use ordinances.

Reasons Supporting Proposal: The rules proposed for repeal are no longer used. These repeals will save several hundred pages of printing.

Statutory Authority for Adoption: 16 U.S.C. § 544c(b); RCW 43.097.015 [43.97.015]; ORS 196.150.

Statute Being Implemented: 16 U.S.C. § 544c(b).

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

Name of Proponent: Columbia River Gorge Commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jill Arens, White Salmon, Washington, (509) 493-3323.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Repeal of these rules would not affect small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. This rule-making action does not adopt any new rule. RCW 34.05.328 does not apply.

February 3, 2010  
Nancy A. Andring  
Rules Coordinator

## WSR 10-04-122

### PROPOSED RULES

### DEPARTMENT OF

### SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed February 3, 2010, 11:25 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-15-162.

Title of Rule and Other Identifying Information: The department is amending WAC 388-832-0160 Are there limits to the respite care I receive?, 388-832-0305 Who are qualified providers for parent/sibling education?, 388-832-0345 Are there limitations on one-time awards?, and 388-832-0460 How will DDD notify me of their decision?

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 March 9, 2010, at 10:00 a.m.

Date of Intended Adoption: Not earlier than March 10, 2010.

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 DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on March 9, 2010.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS rules consultant, by February 23, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at johnsj14@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rules clarify limits on respite care, identify who are qualified providers for parent/sibling education and specifies how the division of developmental disabilities will notify clients of decisions regarding the individual and family services program.

Reasons Supporting Proposal: The proposed changes to these rules are meant to clarify the wording of these chapters so that rules governing respite care and how providers and clients are notified of decisions regarding respite care are easier to understand. These rules have minimal if any cost to the department and amend WAC so that individuals participating in the individual and family support program are better able to understand the services available through that program.

Statutory Authority for Adoption: RCW 71A.12.030, 71A.12.040, 71A.12.161.

Statute Being Implemented: RCW 71A.12.030, 71A.12.040, 71A.12.161.

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: Meredith Kelly, 640 Woodland Square Loop S.E., Lacey, WA 98504, (360) 725-3524; Implementation: Debbie Couch, 640 Woodland Square Loop S.E., Lacey, WA 98504, (360) 725-3415; and Enforcement: Don Clintman, 640 Woodland Square Loop S.E., Lacey, WA 98504, (360) 725-3421.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small business impact was prepared as the amended rules proposed clarify language in the WAC and generally make the rules easier to understand by the consumer. Furthermore, there are no costs imposed on small businesses by these proposed rules. Based on RCW 19.85.025, the proposed rule making is exempt from preparing a small business economic impact statement.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rules are defined as procedural or interpretive under RCW 34.05.328 (5)(c).

January 28, 2010

Don Goldsby, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 09-11-054, filed 5/13/09, effective 6/13/09)

**WAC 388-832-0160 Are there limits to the respite care I receive?** The following limitations apply to the respite care you can receive:

- (1) Respite cannot replace:
  - (a) Daycare, childcare or preschool while a parent is at work; and/or
  - (b) Personal care hours available to you. When determining your unmet need, DDD will first consider the personal care hours available to you.
- (2) Respite providers have the following limitations and requirements:
  - (a) If respite is provided in a private home, the home must be licensed unless it is the client's home or the home of a relative of specified degree per WAC 388-825-345;
  - (b) The respite provider cannot be the spouse of the caregiver receiving respite if the spouse and the caregiver reside in the same residence; and
  - (c) If you receive respite from a provider who requires licensure, the respite services are limited to those age-specific services contained in the provider's license.
  - (d) The respite care provider cannot be your natural, step or adoptive parent living with you.
- (3) Your caregiver will not be paid to provide DDD services for you or other persons at the same time you receive respite services.
- (4) The need for respite must be identified in your ISP and, in combination with other IFS services, may not exceed your IFS allocation.
- (5) If your personal care provider is your parent, your parent provider may not be paid to provide respite services to any client in the same month that you receive respite services.
- (6) Prior approval by the DDD regional administrator or designee is required:
  - (a) To exceed fourteen days respite care per month; or
  - (b) To pay for more than eight hours in a twenty-four hour period for respite care in any setting other than your home.

AMENDATORY SECTION (Amending WSR 08-16-121, filed 8/5/08, effective 9/5/08)

**WAC 388-832-0305 Who are qualified providers for parent/sibling education?** (1) The provider of parent/sibling education must be one of the following licensed, registered or certified professionals and be contracted with DDD for the service specified in the ISP:

- (a) Audiologist;
- (b) Licensed practical nurse;
- (c) Marriage and family therapist;
- (d) Mental health counselor;
- (e) Occupational therapist;
- (f) Physical therapist;
- (g) Registered nurse;
- (h) Sex offender treatment provider;
- (i) Speech/language pathologist;
- (j) Social worker;
- (k) Psychologist;
- (l) Certified American sign language instructor;

- (m) Nutritionist;
- (n) Registered counselor; or
- (o) Certified dietician.

(2) Along with these professional providers, the individual and family services contract, the Arc, Parent to Parent, PAVE and Families Together may be utilized for parent/sibling education.

AMENDATORY SECTION (Amending WSR 09-11-054, filed 5/13/09, effective 6/13/09)

**WAC 388-832-0345 Are there limitations to one-time awards?** (1) One-time awards are limited to individuals and families on the IFS request list.

(2) One-time awards are limited to architectural/vehicular modifications or specialized equipment.

~~((2))~~ (3) One-time awards cannot exceed six thousand dollars in a twenty-four month period.

~~((3))~~ (4) One-time awards must be approved by the DDD regional administrator or designee.

~~((4))~~ (5) Eligibility for a one-time award does not guarantee approval and authorization of the service by DDD. Services are based on availability of funding.

~~((5))~~ (6) One-time awards will be prorated by the number of other members in the household who use these modifications or specialized equipment.

AMENDATORY SECTION (Amending WSR 09-11-054, filed 5/13/09, effective 6/13/09)

**WAC 388-832-0460 How will DDD notify me of ~~(their)~~ decisions?** Your DDD case resource manager will call you and send a written planned action notice per WAC 388-825-100 to notify you of ~~(their)~~ decisions made.

## WSR 10-04-123

### PROPOSED RULES

### STATE BOARD OF EDUCATION

[Filed February 3, 2010, 11:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-17-091.

Title of Rule and Other Identifying Information: WAC 180-08-002 General description of organization.

Hearing Location(s): Highline Community College, 2400 South 240th Street, Des Moines, WA 98198, (206) 878-3710, <http://www.highline.edu/home/maps/>, on March 17, 2010, at 11:45 a.m.

Date of Intended Adoption: March 18, 2010.

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](mailto:brad.burnham@k12.wa.us), fax (360) 586-2357, by March 8, 2010.

Assistance for Persons with Disabilities: Contact Brad Burnham by March 8, 2010, TTY (360) 664-3631 or (360) 725-6025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Repealing WAC



180-08-002 General description of organization. The description of the organization is contained in chapter 28A.305 RCW and the rule quotes the statute. The proposal is to repeal the rule in order to avoid having to amend the rule whenever RCW 28A.305.130 [is] amended.

Reasons Supporting Proposal: See preceding paragraph.

Statutory Authority for Adoption: RCW 28A.305.130, 34.05.220.

Statute Being Implemented: RCW 34.05.220.

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 Enforcement: 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 is not required.

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

Edith W. Harding  
Executive Director

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-08-002	General description of organization.
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**WSR 10-04-125**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed February 3, 2010, 11:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-24-111.

Title of Rule and Other Identifying Information: Hunting rules, WAC 220-55-115 Recreational license dealer fees, 232-12-047 Unlawful methods for hunting, 232-12-051 Muzzleloading firearms, 232-12-054 Archery requirements— Archery special use permits, 232-12-284 Bighorn sheep— Marking requirements, 232-28-248 Special closures and firearm restriction areas, 232-28-266 Damage prevention permits, 232-28-273 Moose, bighorn sheep, and mountain goat seasons and permit quotas, 232-28-285 2010-2011 Pilot cougar hunting seasons with the aid of dogs, 232-28-286 2010, 2011, and 2012 Spring black bear seasons and regulations, 232-28-287 2009-2010, 2010-2011, and 2011-2012 Cougar permit seasons and regulations, 232-28-288 2010-2011 Fall black bear hunting seasons and regulations, 232-28-290 Washington raffle hunts, 232-28-291 Special hunting season permits, 232-28-292 Washington auction hunts, 232-28-295

Landowner hunting permits, 232-28-337 Deer and elk area descriptions, 232-28-342 Small game seasons, 232-28-351 Deer general seasons and definitions, 232-28-352 Elk general seasons and definitions, 232-28-355 Deer special permits, and 232-28-356 Elk special permits.

Hearing Location(s): Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA 98501, (360) 902-2515, on March 12-13, 2010, at 8:00 a.m.

Date of Intended Adoption: April 9-10, 2010.

Submit Written Comments to: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Wednesday, February 24, 2010.

Assistance for Persons with Disabilities: Contact Susan Yeager by March 8, 2010, TTY (800) 833-6388 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 220-55-115, the proposed language allows hunters to replace lost permits at vendors statewide and reimburses vendors for the cost of providing supplemental permits.

WAC 232-12-047, the proposed language clarifies that handguns may be used for personal protection by all hunters. Hunters will have greater certainty on their rights to possess handguns for personal protection.

Moves crossbow regulations from the archery requirement rule to the unlawful methods for hunting rule.

WAC 232-12-051, the proposed language clarifies that handguns may be used for personal protection by all hunters. Hunters will have greater certainty on their rights to possess handguns for personal protection.

WAC 232-12-054, the proposed language clarifies that handguns may be used for personal protection by all hunters. Hunters will have greater certainty on their rights to possess handguns for personal protection.

Moves crossbow regulations from the archery requirement rule to the unlawful methods for hunting rule.

WAC 232-12-284, the proposed WAC amends the marking requirements for bighorn sheep that are harvested or in possession. The department implemented a few ewe-only bighorn sheep hunts last hunting season and was unable to effectively mark ewe horns due to their smaller size. Given the intent of the rule and difficulty marking ewe horns, the department is recommending amending the rule to only include marking requirements for bighorn sheep rams, not ewes. There is no anticipated effect to populations or hunting opportunity.

WAC 232-28-248, the proposed language closes deer hunting on Cottonwood Island and Howard Island. The purpose is to protect endangered Columbian white-tailed deer. The anticipated effect is to further the recovery of Columbian white-tailed deer while retaining deer hunting on the mainland in GMU 564 proper.

WAC 232-28-266, this proposal changes the timeframe that turkey damage prevention permits are valid, so they can be used beginning on October 10. This proposal does not change the number of turkey permits approved.

This proposal also dedicates an additional 50 antlerless elk permits to game management units in Region 5 to address increased elk damage complaints.

WAC 232-28-273, the proposed WAC amends seasons for moose, bighorn sheep, and mountain goat. The department recommends status quo seasons for moose and minor permit level changes for bighorn sheep and mountain goat. Winter surveys indicate moose populations are stable. The department recommends status quo permit levels. All bighorn sheep populations that currently are hunted either meet or exceed population objectives. The department recommends minor permit level changes (from 40 to 46) based on the population thresholds in the game management plan (2008). The changes include closing the Wenaha (previously 1 permit), opening Swakane (1 permit), and opening Chelan Butte (1 permit). Mountain goat populations are stable in all hunted populations. Changes in permit levels are based on annual survey counts and tend to be conservative given the sensitivity of goats to overharvesting. The department recommends status quo permit levels in all areas, except reducing the permit level from 2 to 1 in the Bumping River population management unit due to recent survey counts. The anticipated effects are sustainable recreational hunting opportunities and long-term viable populations.

WAC 232-28-285, implements ESHB 2438 and establishes pilot cougar with the aid of dogs in Chelan, Okanogan, Ferry, Stevens, Pend Oreille, and Klickitat counties for the 2010-11 winter. The objective of the bill is to use a pilot cougar hunt with the aid of dogs to address public safety and the protection of private property (e.g., pets and livestock), as well as to allow the department to more effectively manage cougar populations.

The department is recommending a status quo permit season for the 2010-2011 pilot cougar hunt, with the following exceptions:

1. Change the opening day of the permit hunt from Dec 19 to Dec 1 (except GMUs 101, 105, and 204).
2. Increase the kill quota for Klickitat hunt zone to 10 total cougars or 4 females.
3. Increase the cap on the number of permits issued from 2x the total quota to 3x the total quota.
4. If a second drawing occurs, select additional hunters from the unselected pool of applicants that reside in a participating county.
5. Routine calendar date changes for the six counties continuing the pilot program.

The anticipated effect is to stabilize cougar populations at current levels.

At date of this filing, only Klickitat County has met the basic requirements for inclusion in the pilot cougar hunt. This filing serves as a public notice that other counties may request inclusion in the pilot cougar program up until rule action by the fish and wildlife commission in April 2010.

WAC 232-28-286, the proposed WAC amends spring black bear hunting seasons. To expand the benefit of the spring seasons in the Blue Mountains, the department is recommending adding a spring bear hunt in GMU 181 (Couse) with 4 permits. The anticipated effect is better distribution of harvested bears geographically and a slight increase in total harvest.

For Westside spring bear hunts, the department is recommending reducing the season length in the Kapowsin Tree Farm unit from April 15-June 15 to April 15-May 15 based

on discussions with the landowners. There is a slight anticipated effect to the number of hunter days.

WAC 232-28-287, the rule establishes cougar permit hunt seasons without the aid of dogs. The proposal removes permit hunt seasons in hunt areas with a concurrent pilot cougar permit hunt with the aid of dogs. The purpose of the change is to consolidate two permit seasons into one for simplification [simplification] and allow anyone to apply for the hunt. The anticipated effects are simplification [simplification] of hunting seasons and long-term sustainable cougar populations.

In addition, the proposal increases the permit level in the Blue Mountains zone from 40 to 100. The purpose of the increased permit level is to aid in achieving harvest objectives in the Blue Mountains.

WAC 232-28-288, the rule establishes the 2010 and 2011 fall black bear seasons. Proposed seasons are status quo compared to 2009 seasons, except the recommendation to open the season on Aug 14 rather than Aug 1 in three black bear management units (i.e., South Cascades BBMU, Okanogan BBMU, and Northeastern B BBMU). The purpose is to provide recreational harvest opportunities for black bear, while maintaining long-term sustainable populations in each BBMU (except Puget Sound and Columbia Basin BBMUs). The anticipated effects of the rule are continued recreational harvest opportunities similar to 2009 levels, with slight reduced season length in 3 of 9 BBMUs, and long-term sustainable bear populations.

WAC 232-28-290, the WAC establishes rules associated with conducting a raffle for a big game hunting license/transport tag. The purpose of the amendment is to implement SHB 1778 and provide spending direction for Washington department of fish and wildlife (WDFW) dedicated raffle account. The proposal directs WDFW to spend revenue from single species raffle hunts on the management of respective species raffled, and spend revenue from multiple species raffle hunts on game management. The anticipated effect is spending consistent with SHB 1778 and public input.

WAC 232-28-291, the purpose is to modify the permit application rules to allow permit application in drawing by category rather than by species.

WAC 232-28-292, the WAC establishes rules associated with conducting an auction for a big game hunting license/transport tag. The purpose of the amendment is to implement SHB 1778 and provide spending direction for WDFW dedicated auction account. The proposal directs WDFW to spend revenue from single species auction hunts on the management of respective species auctioned, and spend revenue from multiple species auction hunts on game management. The anticipated effect is spending consistent with SHB 1778 and public input.

WAC 232-28-295, in 2009, two "any elk" permits were allocated to the Teanaway Ranch LHP in Kittitas County; one public and one LHP landowner permit. This proposal removes one landowner hunting permit (LHP) cooperator (Teanaway Ranch) from the program. This rule change will likely result in one less general public hunter accessing the Teanaway Ranch for elk hunting.

WAC 232-28-337, the proposed language adjusts the boundaries of deer and elk areas and also creates a new elk

area. Adjustment of the boundaries will help staff deal with wildlife damage problems where they are occurring. Creation of new areas also protects elk when appropriate.

WAC 232-28-342, since 2006, fall, either sex turkey hunting seasons in southeastern Washington have been liberalized, taking advantage of increasing turkey populations and providing expanded hunting opportunity. This proposal moves fall turkey hunting season in game management units (GMUs) 145-154 and 162-186 (Blue Mountains GMUs) to the "early fall general" season from the "early fall permit only" season. During the 2006, 2007, and 2008 fall permit seasons, approximately forty-four percent of special permit holders participated in the hunt, with approximately forty-five percent of those hunters successfully filling their permit. In 2008, 89 turkeys were harvested in these GMUs during the fall permit season. Changing to a general season hunt will allow greater opportunity for turkey hunters while season length, hunter success, and mixed ownerships will moderate turkey harvest.

WAC 232-28-351, the purpose of this proposal is to retain general season deer hunting opportunity, balance the hunting opportunity between user groups, increase opportunity when deer populations allow, and reduce opportunity when declining deer numbers warrant such a change.

WAC 232-28-352, the purpose of this proposal is to retain general season elk hunting opportunity, balance the hunting opportunity between user groups, increase opportunity when elk populations allow, and reduce opportunity when declining elk numbers warrant such a change.

WAC 232-28-355, introduces new category structure for special permits which provide more opportunities to apply. New structure is intended to provide more opportunity to the public and generate more revenue for WDFW. Maintain deer special hunting season opportunities for 2010. Adjust special deer permits for 2010 in response to deer population changes and damage complaints. Provides for recreational harvest of deer. Helps reduce agricultural damage and provides for population control of deer where needed.

WAC 232-28-356, introduces new category structure for special permits which provide more opportunities to apply. New structure is intended to provide more opportunity to the public and generate more revenue for WDFW. Maintain elk special hunting season opportunities for 2010. Adjust special elk permits for 2010 in response to elk population changes and damage complaints. Provides for recreational harvest of elk. Helps reduce agricultural damage and provides for population control of elk where needed.

Reasons Supporting Proposal: WAC 220-55-115, provide greater flexibility for hunters to replace lost permits.

WAC 232-12-047, provide consistency with the United States Constitution and state law.

Crossbows are lawful under modern firearm seasons and not under archery seasons.

WAC 232-12-051, provide consistency with the United States Constitution and state law.

WAC 232-12-054, provide consistency with the United States Constitution and state law.

Crossbows are lawful under modern firearm seasons and not under archery seasons.

WAC 232-12-284, the intent of the rule is to address the potential for illegal harvest and commercialization of bighorn sheep ram horns, because a mature ram skull can have a market value of several thousand dollars. Fortunately, the same situation does not occur for bighorn sheep ewes. As such, the department is recommending dropping the marking requirement for bighorn ewes.

WAC 232-28-248, the proposed language allows the retention of hunting in GMU 564 proper, but does not allow deer hunting on Cottonwood and Howard Islands which are sites proposed for Columbian white-tailed deer release to further Columbian white-tailed deer recovery.

WAC 232-28-266, in April 2009, the fish and wildlife commission approved 200 turkey damage prevention permits for GMUs 105 to 124 which were valid beginning December 15. WDFW enforcement officers found that landowners experienced damage issues during October and November, before the approved damage prevention permit season.

Elk damage prevention permits currently allocated throughout the state have not been adequate to address elk damage in Region 5.

WAC 232-28-273, permit level changes are based on the population thresholds in the game management plan (2008).

WAC 232-28-285, the rule implements ESHB 2438. The objective of the bill is to use a pilot cougar hunt with the aid of dogs to address public safety and the protection of private property (e.g., pets and livestock), as well as to allow the department to more effectively manage cougar populations.

WAC 232-28-286, the objectives of spring bear hunts in the Blue Mountains are to better distribute the harvest geographically and increase total harvest while minimizing female take. Through time, the spring season has proven successful for both objectives.

The fish and wildlife commission began implementing spring black bear hunts in western Washington in 2006. The purpose of these hunts is to reduce tree damage by bears during the spring.

WAC 232-28-287, consolidates two cougar permit hunt seasons into one permit season where anyone can apply. Increased permit level in Blue Mountains is to aid in achieving harvest objectives in the Blue Mountains.

WAC 232-28-288, population indicators for black bears support status quo hunting seasons in each BBMU, except South Cascades, Okanogan, and Northeastern B. In those BBMUs, indicators suggest that hunting seasons should be more conservative.

WAC 232-28-290, proposal implements SHB 1778 and addresses public input supporting dedicated accounts.

WAC 232-28-291, consistency with initiative to provide greater permit application opportunities for hunters and expand funding for hunter access programs.

WAC 232-28-292, proposal implements SHB 1778 and addresses public input supporting dedicated accounts.

WAC 232-28-295, in the fall of 2009, the LHP cooperator contacted WDFW, informed the agency that they did not wish to continue in the LHP program, and requested that we cancel their contract for future years.

WAC 232-28-337, the proposed language makes existing boundaries more appropriate when the department is dealing with damage or nuisance issues. The new area helps

protect elk on a small scale without excluding hunting entirely on the GMU scale.

WAC 232-28-342, the proposed changes provide increased hunter opportunity in areas where expanding populations can support increased fall harvest.

WAC 232-28-351, provides recreational, deer hunting opportunity and protects deer from overharvest. Maintains sustainable general deer hunting season opportunities for 2010 and 2011. Helps address deer damage problems and provides for deer population control when needed.

WAC 232-28-352, provides recreational, elk hunting opportunity and protects elk from overharvest. Maintains sustainable general elk hunting season opportunities for 2010 and 2011. Helps address elk damage problems and provides for elk population control when needed.

WAC 232-28-355, new category structure will allow more opportunities to apply which will increase revenue for WDFW. Provides recreational, deer hunting opportunity and protects deer from overharvest. Addresses deer damage problems.

WAC 232-28-356, new category structure will allow more opportunities to apply which will increase revenue for WDFW. Provides recreational, elk hunting opportunity and protects elk from overharvest. Addresses elk damage problems.

Statutory Authority for Adoption: RCW 77.012.040 [77.12.040], 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.32.070, 77.32.530.

Statute Being Implemented: RCW 77.012.040 [77.12.-040], 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.32.070, 77.32.530.

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 and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

February 3, 2010

Lori Preuss

Rules Coordinator

AMENDATORY SECTION (Amending WSR 09-15-122, filed 7/17/09, effective 8/17/09)

**WAC 220-55-115 Recreational license dealer's fees.**

License dealers may charge a license issuance fee as follows:

(1) Two dollars for the issuance of any of the following fishing licenses:

- (a) A combination license.
- (b) A saltwater license.
- (c) A freshwater license.

(d) A two-day temporary fishing license.

(e) A family fishing weekend license.

(f) A shellfish and seaweed license.

(g) A razor clam license.

(2) Two dollars for the issuance of any of the following hunting licenses:

(a) A big game combination license.

(b) A small game license.

(c) A three-consecutive day small game license.

(3) Two dollars for the issuance of a fish and wildlife lands vehicle use permit when issued separately from an annual freshwater, saltwater or combination fishing license, or separately from an annual small game hunting license, big game combination license, or trapping license.

(4) Notwithstanding the provisions of this section, if any two or more licenses are issued at the same time, or the fish and wildlife lands vehicle use permit is issued with any recreational license, the license issuance fee for the document is two dollars.

(5) Fifty cents for the issuance of any of the following:

(a) A deer, elk, bear, cougar, mountain goat, mountain sheep, moose, or turkey transport tag.

(b) A state of Washington migratory bird stamp.

(c) A Western Washington pheasant permit.

(d) An application for a special permit hunt.

(e) A migratory bird hunting authorization (including harvest report card).

(f) A replacement of substitute special hunting season permit.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-12-047 Unlawful methods for hunting.** (1)

It is unlawful to hunt any big game with:

(a) A fully automatic firearm.

(b) A centerfire cartridge less than 22 caliber for cougar.

(c) A centerfire cartridge less than 24 caliber for any other big game.

(d) A shotgun, provided that a 20 gauge, or larger shotgun, using shells loaded with slugs or buckshot size #1 or larger, may be used to hunt deer, bear, and cougar.

(e) A shotgun for any other big game, except that a 12 gauge or 10 gauge shotgun using slugs may be used.

(f) A handgun during a modern firearm season that does not meet the following criteria: Have a minimum barrel length of four inches, per manufacturer's specification, and fire a centerfire cartridge.

(g) Any rimfire cartridge.

(2) It is unlawful to hunt game birds with a shotgun capable of holding more than three shells.

(3) It is unlawful to hunt game birds or game animals, except bullfrogs, in a manner other than with a firearm, a bow and arrow, or by falconry, except in those designated areas where crossbows are allowed.

(4) Rules pertaining to crossbows:

(a) It is unlawful to hunt big game animals with a crossbow with a draw weight less than 125 pounds, a limb width less than 24 inches, a draw length less than 14 inches, and a trigger safety that does not work properly.

(b) It is unlawful to hunt big game animals with any arrow or bolt measuring less than 16 inches in length and weighing less than 350 grains.

(c) It is unlawful to hunt game animals or game birds with a crossbow that weighs more than 15 pounds.

(5) Hunters with disabilities may use a crossbow with a special use permit as conditioned in WAC 232-12-054.

~~((5))~~ (6) It is unlawful to hunt game animals or game birds with a shotgun larger than 10 gauge.

~~((6))~~ (7) It is unlawful to hunt game birds with a rifle or handgun, with the exception of blue grouse, spruce grouse and ruffed grouse.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-12-051 Muzzleloading firearms.** (1) Definitions.

(a) Muzzleloader: A firearm which is loaded from the muzzle and uses black powder or a black powder substitute as recommended by the manufacturer for use in all muzzleloading firearms.

(b) A muzzleloading firearm shall be considered loaded if a powder charge and a projectile, either shot or single projectile are in the barrel and the barrel or breech is capped or primed.

(2) It is unlawful to hunt wildlife using a muzzleloading firearm which does not meet the following specifications.

(a) A muzzleloading shotgun or rifle must have a single or double barrel, rifled or smooth-bored.

(b) A muzzleloading shotgun or rifle used for deer must be .40 caliber or larger. Buckshot size #1 or larger may be used in a smoothbore of .60 caliber or larger for deer.

(c) A muzzleloading shotgun, rifle, or handgun used for all other big game must be .45 caliber or larger.

(d) Persons lawfully hunting small game with a double barrel, muzzleloading shotgun may keep both barrels loaded.

(e) A muzzleloading handgun must have a single or double barrel of at least eight inches, must be rifled and be capable of being loaded with forty-five grains or more of black powder or black powder substitute per the manufacturer's recommendations.

(f) A muzzleloading handgun used for big game must be .45 caliber or larger.

(g) A handgun designed to be used with black powder, including black powder percussion revolvers, can be used to hunt forest grouse, cottontail rabbits, and snowshoe hares.

(3) In addition to the above requirements, it is unlawful to participate (hunt) in a muzzleloading hunting season using a firearm which does not meet the following specifications for a muzzleloader. However, a modern handgun may be carried for personal protection ((if that person possesses a concealed pistol license as defined in RCW 9.41.070)). Modern handguns cannot be used to hunt big game or dispatch wounded big game during a big game hunting season for muzzleloading firearms.

(a) Ignition is to be wheel lock, matchlock, flintlock, or percussion using original style percussion caps that fit on the nipple and are exposed to the weather. "Exposed to the weather" means the percussion cap or the frizzen must be vis-

ible and not capable of being enclosed by an integral part of the weapon proper. Primers designed to be used in modern cartridges are not legal.

(b) Sights must be open, peep or of other open sight design. Fiber optic sights are legal. Telescopic sights or sights containing glass are prohibited.

(c) It is unlawful to have any electrical device or equipment attached to a muzzleloading firearm while hunting.

(d) Those persons lawfully hunting big game with a double barrel muzzleloader may only keep one barrel loaded.

(4) Hunters with disabilities who meet the definition of being visually impaired in WAC 232-12-828 may receive a special use permit that would allow the use of scopes or other visual aids. A disabled hunter permit holder in possession of a special use permit that allows the use of a scope or visual aid may hunt game birds or game animals during muzzleloader seasons.

(5) Muzzleloading firearms used during a modern firearm season are not required to meet ignition, sight, or double barrel restrictions.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-12-054 Archery requirements—Archery special use permits.** (1) Rules pertaining to all archery:

(a) It is unlawful for any person to carry or have in his possession any firearm while in the field archery hunting, during an archery season specified for that area, except for modern handguns carried for personal protection (~~((if that person possesses a concealed pistol license as defined by RCW 9.41.070))~~). Modern handguns cannot be used to hunt big game or dispatch wounded big game during an archery, big game hunting season.

(b) It is unlawful to have any electrical equipment or electric device(s) attached to the bow or arrow while hunting.

(c) It is unlawful to shoot a bow and arrow from a vehicle or from, across or along the maintained portion of a public highway, except persons with a disabled hunter permit may shoot from a vehicle if the hunter is in compliance with WAC 232-12-828.

(d) It is unlawful to use any device secured to or supported by the bow for the purpose of maintaining the bow at full draw or in a firing position, except persons with an archery special use permit may hunt game birds or game animals using a device that stabilizes and holds a long bow, recurve bow, or compound bow at a full draw, and may use a mechanical or electrical release.

(e) It is unlawful to hunt wildlife with a crossbow(~~(except in designated areas))~~ during an archery season. However, disabled hunter permittees in possession of a crossbow special use permit may hunt with a crossbow in any season that allows archery equipment.

(f) It is unlawful to hunt big game animals with any arrow or bolt that does not have a sharp broadhead, and the broadhead blade or blades are less than seven-eighths inch wide.

(g) It is unlawful to hunt big game animals with a broadhead blade unless the broadhead is unbarbed and completely closed at the back end of the blade or blades by a smooth,

unbroken surface starting at maximum blade width forming a smooth line toward the feather end of the shaft and such line does not angle toward the point.

(h) It is unlawful to hunt wildlife with any bow or cross-bow equipped with a scope. Except hunters with disabilities who meet the definition of being visually impaired in WAC 232-12-828 may receive a special use permit that would allow the use of scopes or other visual aids. A disabled hunter permit holder in possession of a special use permit that allows the use of a scope or visual aid may hunt game birds or game animals during archery seasons.

(2) Rules pertaining to long bow, recurve bow and compound bow archery:

(a) It is unlawful for any person to hunt big game animals with a bow that (~~possesses less than~~) does not possess a minimum of 40 pounds of pull measured at twenty-eight inches or less draw length.

(b) It is unlawful to hunt big game animals with any arrow measuring less than 20 inches in length or weighing less than 6 grains per pound of draw weight with a minimum arrow weight of 300 grains.

~~(3) (Rules pertaining to crossbows:~~

~~(a) It is unlawful to hunt big game animals with a cross-bow with a draw weight less than 125 pounds, a limb width less than 24 inches, a draw length less than 14 inches, and a working trigger safety.~~

~~(b) It is unlawful to hunt big game animals with any arrow or bolt measuring less than 16 inches in length and weighing less than 350 grains.~~

~~(c) It is unlawful to hunt game animals or game birds with a crossbow that weighs more than 15 pounds.~~

~~(4)) Archery special use permits:~~

(a) An archery special use permit is available to a person who possesses a valid disabled hunter permit. An archery special use permit application must be signed by a physician stating that the person's disability is permanent and the person has a loss of use of one or both upper extremities, has a significant limitation in the use of an upper extremity, or has a permanent physical limitation, which loss or limitation substantially impairs the ability to safely hold, grasp or shoot a long bow, recurve bow or compound bow. The loss or limitation may be the result of, but not limited to, amputation, paralysis, diagnosed disease, or birth defect. The approved archery special use permit must be in the physical possession of the person while using adaptive archery equipment as described in subsection (1)(d) of this section to hunt game birds or game animals.

(b) A crossbow special use permit is available to a person who meets the requirements for an archery special use permit and is unable to use adaptive archery equipment. Adaptive equipment includes, but is not limited to: Cocking devices that hold the bow at full draw; trigger mechanisms that may be released by mouth, or chin, or hand supporting the bow; and devices that assist in supporting the bow. Information describing types of adaptive equipment will be provided to physicians for their assessment of the applicant's ability to utilize adaptive archery equipment. Muscle weakness, impaired range of motion, or unilateral hand weakness disability, of both hands or both arms or both sides of the upper extremity, may result in an inability to use adaptive

archery equipment. Standard tests approved by the American Medical Association may be conducted to assess a person's abilities.

AMENDATORY SECTION (Amending Order 96-193, filed 11/5/96, effective 12/6/96)

**WAC 232-12-284 Bighorn sheep—Marking requirements.** (1) For the purpose of this regulation, horns shall be defined as the permanent, paired, hollow sheath of bighorn sheep ram attached to the bony core and skull.

(2) It is unlawful for a person who kills or possesses a bighorn sheep ram taken in Washington to fail, within ten days after acquisition, to personally present the horns for inspection and permanent marking at a department regional office. A department employee shall permanently mark one of the horns of each lawfully acquired bighorn sheep.

(3) It is unlawful for any person to possess the horns of a bighorn sheep ram taken in Washington without one of the horns being permanently marked by the department.

(4) It is unlawful for any person who transfers ownership or possession of the horns of a bighorn sheep ram which has been permanently marked to fail to give written notice of the transfer to the department within ten days after the transfer.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-248 Special closures and firearm restriction areas.**

RESTRICTED AND PROHIBITED HUNTING AREAS.

These areas are closed by Fish and Wildlife Commission action. Other areas may be closed to hunting by local, state or federal regulations.

IT IS ILLEGAL TO HUNT EXCEPT WHERE PROVIDED IN THE FOLLOWING AREAS:

1. Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Road (USFS Road 2489), north of Tacoma Creek Road (USFS Road 2389) and west of Bonneville Power Administration power lines are designated as "CLOSED AREA" to the hunting of wild animals and wild birds year round. The Parker Lake closure was established to provide a protected area for the Air Force Military Survival Training Program.
2. Columbia River and all the islands in the river, and the Benton County shoreline below the high water mark, and any peninsula originating on the Benton County shoreline, between Vernita Bridge (Highway 24) downstream to the old Hanford townsite powerline crossing (wooden towers) in Section 24, T 13 N, R 27 E, is designated as a "CLOSED AREA" to the hunting of wild animals and wild birds.
3. Green River (GMU 485): Except for special permit hunters, who may also take a black bear and/or cougar with the appropriate license/tag options, all lands within GMU 485 are designated as a "CLOSED AREA" to the hunting of big game by Department of Fish and Wildlife regulated hunters throughout the year. During the general westside elk season and general and late

deer seasons, all lands within GMU 485 are also designated as a "CLOSED AREA" to the hunting of all wild animals (including wild birds). The City of Tacoma enforces trespass within GMU 485 on lands owned or controlled by the City during all times of the year.

4. McNeil Island: McNeil Island (part of GMU 652) is closed to the hunting of all wild animals (including wild birds) year around.
5. Loo-wit (GMU 522): Closed to hunting and trapping within GMU 522 (Loo-wit), except for the hunting of elk by special permit holders during established seasons and designated areas.
6. The Voice of America Dungeness Recreation Area County Park in Clallam County is closed to all hunting except Wednesdays, weekends, and holidays, from the first weekend in October to the end of January.

**BIG GAME CLOSURES**

1. Clark, Cowlitz, Pacific, and Wahkiakum counties are closed to Columbian Whitetail Deer hunting.
2. Cathlamet: Beginning in the town of Skamokawa; then east along SR 4 to the Risk Road; then south and east along the Risk Road to Foster Road; then south along the Foster Road to the Elochoman River; then upstream along the Elochoman River to the Elochoman Valley Road (old SR 407); then west along the Elochoman Valley Road to SR 4; then east along SR 4 to SR 409; then south along SR 409 to the Cathlamet Channel of the Columbia River; then east along the north shore of the Cathlamet Channel to Cape Horn; then south in the Columbia River to the state line; then west along the state line to a point directly south of the mouth of Skamokawa Creek; then north on Skamokawa Creek to SR 4 and the point of beginning. This area is closed to all deer and elk hunting, to protect the Columbian White-tail Deer.
3. Willapa National Wildlife Refuge: Except for Long Island, Willapa National Wildlife Refuge is closed to all big game hunting.
4. Walla Walla Mill Creek Watershed (GMU 157): All lands in the Mill Creek Watershed are designated as a "CLOSED AREA" to the hunting of all wild animals (including wild birds) except for the hunting of elk by the holders of GMU-157 special elk permits during the established open season. This area is closed to motorized vehicles. Entry is allowed only by Forest Service permit for the duration of the hunt. Any entry into the Mill Creek Watershed at other times is prohibited.
5. Westport: Closed to hunting of all big game animals on that part of Westport Peninsula lying north of State Highway 105 from the west end of the Elk River Bridge and the Schafer Island Road to the ocean beach.
6. Cotton and Howard islands in GMU 564 are closed to all deer hunting.

**FIREARM RESTRICTION AREAS**

The firearm restriction areas listed below have been established by the Fish and Wildlife Commission. Exceptions to firearm restrictions may be made through rule by the Fish and

Wildlife Commission. Centerfire and rimfire rifles are not legal for hunting in any of these areas.

In firearm restriction areas, hunters may hunt only during the season allowed by their tag. Archery tag holders may hunt during archery seasons with archery equipment. Muzzleloaders may hunt during muzzleloader seasons with muzzleloader equipment. Modern firearm tag holders may hunt during modern firearm seasons with bows and arrows, crossbows, muzzleloaders or revolver-type handguns meeting the equipment restrictions or legal shotguns firing slugs or buckshot.

Additional or more specific firearm restrictions may be listed under the area description.

COUNTY	AREA
Chelan	That portion of GMU 251 (Mission) beginning at the intersection of the Duncan Road and Highway 2; south on Duncan Road to Mountain Home Road; south along Mountain Home Road to the Icicle Irrigation Ditch; south and west along the Icicle Irrigation Ditch to the Snow Lake Trail; west and north along the Snow Lake Trail and across the Icicle River to Icicle River Road; east and north along Icicle River Road to the Wenatchee River; northwest along the Wenatchee River to Highway 2; north and east on Highway 2 to Duncan Road and the point of beginning.
Clallam	That portion of GMU 624 (Coyle) located within Clallam County.
Clark	GMU 564 (Battleground) That portion of GMU 554 in Clark County.
Cowlitz	GMU 554 (Yale) GMU 504 (Stella) That portion of GMU 564 (Battleground) in Cowlitz County.
Grays Harbor	That portion of GMU 658 (North River) beginning at Bay City; then west along Highway 105 to Twin Harbors State Park; then south along Highway 105 to Grayland Grocery; then east on Cranberry Road to Turkey Road; then east and north on Turkey Road to Bayview Logging Road; then north and east along Bayview Logging Road to Mallard Slough; then east and south along the Bayview Road to Andrews Creek; then north along main channel of Andrews Creek to Grays Harbor; then north and west along the main navigation channel to Bay City and point of beginning.

COUNTY	AREA	COUNTY	AREA
Grays Harbor	The following Chehalis Valley restriction applies only during elk seasons: That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on the Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of the South Bank Road to Delzene Road; north along Delzene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to the Chehalis River; west along the Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 to the point of beginning.	Pacific	GMU 684 (Long Beach) west of Sand Ridge Road. The portion of GMU 658 (North River) south and west of State Highway 105 and Airport Road between Raymond and North River Bridge. GMU 681 between U.S. Highway 101, Chinook Valley Road and the Columbia River from Astoria-Megler bridge to the Wallacut River.
Island	That portion of GMU 410 (Island) located on Camano and Whidbey islands.	Pierce	GMU 652 (Anderson and Ketron islands) limited to archery, shotgun, and muzzle-loader. McNeil Island closed to hunting. See GMU 652 restriction area outlined for King County. GMU 627 (Kitsap) south of Highway 302 on the Longbranch Peninsula is a firearm restriction area.
Jefferson	Indian and Marrowstone islands.	San Juan	All San Juan County.
King	The area west of Highway 203 (Monroe-Fall City, then Fall City-Preston Road) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; Vashon and Maury islands. This area is restricted to archery only: The following portion of GMU 652 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue Southeast; then north along 284th Avenue Southeast to State Highway 410; then west along Highway 410 to the point of the beginning.	Snohomish	All areas west of Highway 9, until the intersection of Highway 9 and Highway 2, then east along Highway 2 to Highway 203, then all areas west of Highway 203 to the Snohomish/King County line.
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to Newbury Hill Road, north of Newbury Hill Road and the Bremerton-Seabeck Highway to Big Beef Creek Bridge; all of Bainbridge Island, and Bangor Military Reservation.	Skagit	All mainland areas and islands in Skagit County west of I-5 and north of the Skagit/Snohomish County line, except Cypress Island. This restriction applies to big game hunting only.
Kittitas	GMU 334 (Ellensburg) Closed to center-fire rifles during deer and elk seasons.	Skamania	That portion of GMU 564 (Battle Ground) in Skamania County.
Klickitat	Elk Area 5062 (Trout Lake) closed to centerfire rifles, handguns, and muzzleloaders October 1 to December 15.	Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River.
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Harstene Island.	Whatcom	All mainland areas and islands of Whatcom County that are west of I-5. This restriction applies to big game hunting only.

**AMENDATORY SECTION** (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-266 Damage prevention permit hunts.**

DAMAGE PREVENTION PERMIT HUNTS

Pursuant to RCW 77.12.150 and 77.12.260, a landowner with deer, elk, or turkey-caused property damage may enter into a Cooperative Agreement (contract) with WDFW and the commission may establish a special season as described by this rule.

The landowner agrees not to claim damage payments, except Elk Areas 3721 and 3722, and will allow access to hunters during the general hunting seasons. Landowner selects hunters. A damage prevention access permit provided



to a landowner by WDFW and given to the hunter will authorize the hunter to use an unused general deer, elk, or turkey tag to hunt and kill a legal animal during the appropriate prescribed season.

**Deer:**

Tag Required: Deer hunter must have a current valid, unaltered, unnotched deer tag on his/her person.

Hunting Method: Any legal weapon

Season Framework: August 1 - March 31

Location: Statewide

Legal Deer: Antlerless Only

Kill Quota: 300 Per license year

Location: Region One

Legal Deer: Antlerless Only

Kill Quota: 300 Per license year

Location: GMUs 105-124

Legal Deer: Whitetail Antlerless Only

Kill Quota: 300 Per license year

**Elk:**

Tag Required: Elk hunter must have a current valid, unaltered, unnotched elk tag on his/her person.

Hunting Method: Any legal weapon

Season Framework: August 1 - March 31

Location: Statewide

Legal Elk: Antlerless Only

Kill Quota: 200 Per license year

Location: Hanford Area - GMUs 372 and 379

Legal Elk: Antlerless Only

Kill Quota: 60 (~~antlerless only~~) Per license year

Location: Elk Area 3721

Legal Elk: Spike or antlerless during Aug. 1 - March 31; bulls only during May 15 - July 31, except spike only July 1-31

Kill Quota: 50 ~~Spike or antlerless ((during Aug. 1 - March 31))~~ per license year; 30 bulls (~~(only during May 15 - July 31, except spike only July 1-31,))~~ per license year.

Location: GMU 501 - 578

Legal Elk: Antlerless Only

Kill Quota: 50 Per license year

Special Note: Access in Elk Area 3721 may not be sold as a condition of use of these permits. The director may consider damage claims from landowners in Elk Areas 3721 and 3722 who accept these permits and do not charge for access.

**Turkey:**

Tag Required: Turkey hunter must have a current valid, unaltered, unnotched turkey tag on his/her person.

Hunting Method: Any legal turkey hunting method

Season Framework: (~~December 16~~) October 10 - March 1

Location: GMUs 105 - 130

Legal Turkey: Either sex

Kill Quota: 200 Per license year.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-273 2009-2011 Moose, bighorn sheep, and mountain goat seasons and permit quotas.**

**Moose Permit Hunts**

**Who May Apply:** Anyone may apply; EXCEPT those who harvested a moose previously in Washington state. An individual may only harvest one moose during their lifetime (except waived for antlerless only hunts, master hunter hunts, and raffle and auction hunts).

**Bag Limit:** One moose.

Weapon Restrictions: Permit holders may use any legal weapon.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Kettle Range/East Okanogan	Oct. 1 - Nov. 30	GMUs 101, 105, 204	Any Moose	3
Selkirk Mtns. A	Oct. 1 - Nov. 30	GMU 113	Any Moose	22
Selkirk Mtns. B <sup>d</sup>	Oct. 1 - Nov. 30	GMU 113	Antlerless Only	2
Mt. Spokane A	Oct. 1 - Nov. 30	GMU 124 east of Hwy 395	Any Moose	12
Mt. Spokane B	Oct. 1 - Nov. 30	GMU 124 east of Hwy 395	Antlerless Only	14
Mt. Spokane <sup>H((M))C</sup>	Dec. 1 - Mar. 31	GMUs 124, 127, and 130 within Spokane County	Any Moose	20 <sup>H((M))C</sup>
Mt. Spokane Youth Only <sup>a</sup>	Oct. 1 - Nov. 30	GMU 124 east of Hwy 395	Antlerless Only	10
49 Degrees North A	Oct. 1 - Nov. 30	GMU 117	Any Moose	22
49 Degrees North B <sup>b</sup>	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	3

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
49 Degrees North C <sup>c</sup>	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
49 Degrees North Youth Only <sup>a</sup>	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
Three Forks	Oct. 1 - Nov. 30	GMUs 108, 111	Any Moose	6
Hangman A	Oct. 1 - Nov. 30	GMUs 127, 130	Any Moose	7
Hangman B	Oct. 1 - Nov. 30	GMUs 127, 130	Antlerless Only	7
Huckleberry Range A	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Any Moose	6
Huckleberry Range B <sup>c</sup>	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Antlerless Only	2

<sup>a</sup>Applicants must be eligible to purchase a youth moose (~~license by November 30 during the license year they are applying for~~) permit application. Youth hunters must be accompanied by an adult during the hunt.

<sup>b</sup>Applicants must possess a Disabled Hunter Permit.

<sup>c</sup>Applicants must be eligible to purchase a 65 years of age or older (~~(by November 30 during the license year they are applying for)~~) permit application.

<sup>d</sup>Applicants must be a certified hunter education instructor who meet program-defined eligibility criteria.

<sup>H(49)C</sup>This is a damage hunt administered by a WDFW designated hunt (~~(master)~~) coordinator. Only master hunters may apply(~~(; these hunts will not affect accumulated points;)~~) and any weapon may be used. Successful applicants will be contacted on an as-needed basis to help with specific sites of nuisance moose activity in designated areas. Not all successful applicants will be contacted in any given year.

Bighorn Sheep Permit Hunts

**Who May Apply:** Anyone may apply; EXCEPT those who harvested a bighorn sheep previously in Washington state. An individual may only harvest one bighorn sheep during their lifetime. (Except waived for raffle and auction hunts, and ewe only hunts.)

**Bag Limit:** One bighorn ram (except in designated adult ewe hunts, one bighorn adult ewe).

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain A	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	1
Vulcan Mountain B <sup>a</sup>	Oct. 1-10	Sheep Unit 2	Adult ewe only Any Legal Weapon	2
Vulcan Mountain C <sup>b</sup>	Oct. 1-10	Sheep Unit 2	Adult ewe only Any Legal Weapon	1
Selah Butte A	Nov. 3-30	Sheep Unit 4	Any Legal Weapon	5
Selah Butte B	Sept. 1-30	Sheep Unit 4	Adult ewe only Any Legal Weapon	5
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	5
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	3
Cleman Mountain B	Nov. <del>((3))</del> 8-30	Sheep Unit 7	Any Legal Weapon	3
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	1
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	2
<del>((Wenaha</del>	<del>Sept. 15 - Oct. 10</del>	<del>Sheep Unit 11</del>	<del>Any Legal Weapon</del>	<del>4))</del>
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	4
<u>Swakane</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 14</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>Tieton A</u>	Sept. 15 - Oct. 10	Sheep Unit 15	Any Legal Weapon	<del>((3))</del> 4
<u>Tieton B</u>	<u>Nov. 8-30</u>	<u>Sheep Unit 15</u>	<u>Any Legal Weapon</u>	<u>4</u>
Manson	Nov. <del>((3))</del> 8-30	Sheep Unit 16	Any Legal Weapon	2
Asotin	Sept. 15 - Oct. 10	Sheep Unit 17	Any Legal Weapon	1
<u>Chelan Butte</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 18</u>	<u>Any Legal Weapon</u>	<u>1</u>

<sup>a</sup>Applicants must be eligible to purchase a 65 years of age or older ((by November 30 during the license year they are applying for)) permit application.

<sup>b</sup>Applicants must be eligible to purchase a youth bighorn sheep ((license by November 30 during the license year they are applying for)) permit application. Youth hunters must be accompanied by an adult during the hunt.

**Bighorn Sheep Units:**

**Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.

**Sheep Unit 4 Selah Butte:** Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

**Sheep Unit 5 Umtanum:** Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.

**Sheep Unit 7 Cleman Mountain:** Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.

**Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

**Sheep Unit 11 Wenaha Wilderness:** Permit Area: That part of GMU 169 within Crooked Creek drainage.

**Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.

**Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and 251 south of Colockum Creek.

**Sheep Unit 14 Swakane:** Permit Area: GMU 250.

**Sheep Unit 15 Tieton:** Permit Area: GMU 360.

**Sheep Unit 16 Manson:** Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.

**Sheep Unit 17 Asotin:** Permit Area: GMU 175.

**Sheep Unit 18 Chelan Butte:** Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of Antione Creek, W up Antione Creek to where it crosses Apple Acres Rd, W on Apple Acres Rd to the intersection with Washington Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purtteman Creek Rd) to Purtteman Gulch, S into Purtteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.

**Mountain Goat Permit Hunts**

**Who May Apply:** Anyone may apply; except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during their lifetime, except for those who harvested a goat prior to 1999. (Except waived for raffle and auction hunts.)

**Bag Limit:** One (1) adult goat of either sex with horns four (4) inches or longer. WDFW urges hunters to refrain from shooting nannies with kids.

Hunt Name	Permit Season <sup>b</sup>	Subpopulations Open to Hunting <sup>a</sup>	Special Restrictions	Permits <sup>a</sup>
Mt. Baker	Sept. 15 - Oct. 31	Chowder Ridge, Coleman Pinnacle, Lava Divide, Black Buttes, Lake Ann, SE Baker	Any Legal Weapon	7
North Lake Chelan	Sept. 15 - Oct. 31	Skookum Pass Mtn., Big Goat Creek	Any Legal Weapon	2
Naches Pass	Sept. 15 - Oct. 31	Fife's East, Fife's Peak, <del>((Corral Pass))</del> <u>Crystal Mountain</u> , Basin Lake	Any Legal Weapon	1

Hunt Name	Permit Season <sup>b</sup>	Subpopulations Open to Hunting <sup>a</sup>	Special Restrictions	Permits <sup>a</sup>
Bumping River	Sept. 15 - Oct. 31	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	((2)) 1
Blazed Ridge	Sept. 15 - Oct. 31	Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek	Any Legal Weapon	1
Goat Rocks-Tieton River	Sept. 15 - Oct. 31	Chimney Rocks, Goat Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	5

<sup>a</sup>Mountain goat populations are managed as a collection of subpopulations and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close subpopulations and reduce permit levels to protect from overharvesting specific areas.

The director is authorized by the commission to identify the hunt area as a condition of the hunt permit. Selected hunters will receive a text description or map of their hunt area.

<sup>b</sup>Permit hunters may start hunting September 1 with archery equipment.

**AMENDATORY SECTION** (Amending WSR 09-15-122, filed 7/17/09, effective 8/17/09)

**WAC 232-28-285 ((2009-2010)) 2010-2011 Pilot cougar hunting seasons with the aid of dogs.** As used in this section and in the context of pilot cougar hunting seasons, the following definitions apply:

"Accompany" means the dog handler and permit hunter must be in the physical presence of each other at the time dogs are released from a leash or unrestrained or starting a cougar track.

"Pursue" or "pursuit" means dogs are:

- Not on a leash or restrained; or
- Starting a cougar track; or
- In the act of tracking a cougar; or
- At a treed cougar.

Transporting dogs in a motorized vehicle or walking a dog on a leash is not pursuit.

"Dog handler" means a person that owns or hunts with dogs that are capable of detecting, tracking and treeing a cougar.

"Quota" means the targeted harvest goal. The actual harvest level may exceed the quota.

"Kill permit" allows a hunter to pursue or kill cougar.

"Pursuit permit" allows a hunter to pursue cougar.

(1) The pilot cougar-hunting season will allow use of dogs to hunt cougar. The hunts will consist of pursuit-or-kill seasons and pursuit-only seasons.

(2) Pursuit-or-kill seasons:

Cougar may be pursued or killed ((with the aid of dogs)) from December ((19, 2009)) 1, 2010, until the female zone quota has been killed, the total zone quota has been killed, or March 31, ((2010)) 2011, whichever occurs first; EXCEPT GMUs 101, 105, and 204 where cougar may be pursued or killed from January 1, ((2010)) 2011, until the female zone quota has been killed, the total zone quota has been killed, or March 31, ((2010)) 2011, whichever occurs first.

(3) Pursuit-only seasons:

(a) If a zone quota is killed prior to March 31, ((2010)) 2011, cougar may be pursued with dogs in all or portions of that zone until March 31, ((2010)) 2011. Hunters may only pursue cougars in designated pursuit only areas identified on their kill or pursuit-only permit. Hunters may not kill cougar during pursuit-only seasons.

(b) Hunters selected for the pursuit-or-kill season (accompanied by up to three of their identified dog handlers) may participate in a pursuit-only season. Permit hunters that harvest a cougar under a kill permit may continue to pursue cougars until March 31. If a zone quota is killed, the department may also issue pursuit-only permit to hunters drawn at random from the unselected pool of applicants. The director will identify the number of pursuit-only hunters selected.

(4) Hunt areas and kill quotas:

Cougar seasons will be based on a quota system, where permit hunters may hunt and kill cougar until the allotted numbers of cougar have been killed from each hunt zone or March 31, ((2010)) 2011, whichever occurs first.

(a) Kill quotas start September 1 and will include all cougar killed during seasons with and without the aid of dogs, including cougar seasons under this section, cougar seasons without the aid of dogs authorized under WAC 232-28-272 and 232-28-287, depredation permits, landowner kill permits, and WDFW depredation authority.

(b) Individual problem cougar will continue to be killed on an as-needed basis utilizing depredation permits, landowner kill permits, and WDFW depredation authority even if these kills result in exceeding a zone quota.

CMU	Hunt Choice	Hunt Zone	Area Description	QUOTA	
				Total	Female
East Cascades North	9001	Okanogan	Those portions of GMUs 203, 209, 215, 218, 233, 224, 231, 239, and 242 within Okanogan County	17	7

CMU	Hunt Choice	Hunt Zone	Area Description	QUOTA	
				Total	Female
	9002	Chelan	Those portions of GMUs 243, 244, 245, 246, 247, 249, 250, and 251 within Chelan County	6	2
Northeastern	9003	Ferry-Okanogan	GMUs 101, 105, 204	20	8
	9004	Stevens-Pend Oreille	Those portions of GMUs 108, 111, 113, 117, 121 within Stevens and Pend Oreille counties	19	7
East Cascades South	9005	Klickitat	Those portions of GMUs 382, 388, 578 within Klickitat County	<del>((6))</del> 10	<del>((2))</del> 4

(5) Quota hotline:

Permit hunters participating in a pursuit-or-kill season must call the toll free cougar quota hotline within twenty-four hours prior to each day hunting cougar to determine if the zone quota has been killed and the zone is closed. Hunters who hunt more than one consecutive day must call the quota hotline once daily to determine if the zone quota is killed. Hunters who harvest a cougar (~~with the aid of dogs~~) must notify the department within twenty-four hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal. The raw pelt of a cougar, with proof of sex naturally attached, must be sealed by an authorized department employee within five days of the notification of kill. Any person who takes a cougar must present the cougar skull in such a manner that teeth and biological samples can be extracted to an authorized department employee at the time of sealing.

(6) Kill or pursuit-only permit eligibility:

(a) To apply for a kill or pursuit-only permit under this section, individuals must purchase a cougar permit application and submit the application in compliance with WAC 232-28-291 by a date and time identified by the director.

(b) To be eligible for a permit, the participant must be a Washington resident who at the time of application for a permit possesses a valid big game license with cougar as a species option. The permit holder may use dogs while participating in a cougar hunt under this section.

(c) A permit will not be issued to any person who has been convicted of unlawful use of dogs under RCW 77.15.-245 within the five-year period prior to December 1, 2004. Any person issued a permit and who is subsequently convicted of any wildlife offense while participating in a pursuit-or-kill or pursuit-only season, or who violates any condition of the permit, will have the permit revoked and will be ineligible to participate in the remainder of the pilot program.

(7) Permit issuance procedure:

(a) The number of kill permits may be established by the director, but will not exceed ~~((two))~~ three times the total cougar quota for each hunt zone.

(b) The department will issue kill or pursuit-only permits to the persons whose applications are drawn at random. Individuals selected will be notified by telephone or mail. Kill and pursuit-only permits may not be sold or reassigned.

(c) If a female zone quota or total zone quota is not killed in a hunt zone by February 15 (or sooner as identified by the director), then the department may issue kill permits to additional hunters. Hunters will be drawn at random from the

unselected pool of applicants and must be a resident of one of the participating counties.

(8) Qualifications for participation and requirements:

In addition to the provisions applicable to all cougar hunters:

(a) Successful applicants must complete a training program prior to participating in a pursuit-or-kill season or pursuit-only season with the aid of dogs.

(b) Participants must have their permit issued by the department in their possession while hunting cougar.

(c) Individuals selected for a kill permit may kill and possess one cougar per permit and only the permittee may kill the cougar.

(d) Individuals selected for a ~~((cougar kill or pursuit-only))~~ permit, who use dogs to kill or pursue a cougar, may use dog handlers. However, no more than three handlers may accompany the permittee while hunting or pursuing cougar. Dog handlers may not pursue cougar when the permit hunter is not present at the time the dogs are released from a leash or unrestrained. Dog handlers must have a dog handler identification card, issued by the department, in their possession while participating in a pursuit-or-kill season or pursuit-only season.

(e) Dog handlers must possess a valid Washington hunting license.

(f) It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

(g) Participants must have a vehicle placard issued by the department. The vehicle placard must be placed in the permittee's and dog handler's vehicles and be visible from outside the vehicles at all times while hunting or pursuing cougar.

(h) Kill and pursuit-only permit hunters are required to report their hunting activity, whether they harvest a cougar or not, using the toll free cougar quota hotline. Unsuccessful hunters must report their hunting activity by April 10, 2009. A violation of this requirement under this subsection is punishable as an infraction under RCW 77.15.160.

(9) The permit belongs to the state of Washington. The permit holder may be required to return to or turn over to the department the permit when, in the judgment of the department, the permit holder violates any conditions of the permit, violates trespass laws while acting under this permit, or violates any other criminal law or hunting regulation of the state while acting under this permit. If the permit holder is required to return to or turn over to the department the permit, the permit holder may request an appeal of that action in accordance

with chapter 34.05 RCW. Appeal request shall be filed in writing and returned within twenty days of the date of action and be addressed to WDFW Legal Services Office, 600 Capitol Way North, Olympia, Washington 98501-1091.

AMENDATORY SECTION (Amending Order 09-52, filed 4/15/09, effective 6/16/09)

**WAC 232-28-286 2010, 2011, and 2012 Spring black bear seasons and regulations.**

**Who may apply:** Anyone with a valid Washington big game license, which includes black bear as a species option.

**Hunt areas, permit levels, and season dates for each license year:**

Hunt name	Hunt area	Permits	Season dates <sup>b</sup>
Sherman	GMU 101	15	April 15 – May 31
Kelly Hill	GMU 105	10	April 15 – May 31
Douglas	GMU 108	5	April 15 – May 31
Aladdin	GMU 111	10	April 15 – May 31
49 Degrees North	GMU 117	15	April 15 – May 31
Huckleberry	GMU 121	15	April 15 – May 31
Blue Creek	GMU 154	15	April 15 – May 31
Dayton	GMU 162	15	April 15 – May 31
Tucannon	GMU 166	5	April 15 – May 31
Wenaha	GMU 169	45	April 15 – June 15
Mt. View	GMU 172	15	April 15 – May 31
Lick Creek	GMU 175	15	April 15 – May 31
Couse	GMU 181	4	April 15 – May 31
Grande Ronde	GMU 186	5	April 15 – May 31
North Skagit	That portion of GMU 418 that is designated as the hunt area by DNR, Sierra Pacific, and Grandy Lake Timber company.	20	April 15 – May 31
Monroe	That portion of GMU 448 that is designated as the hunt area by DNR, Green Crow, and Longview Timber Lands.	25	April 15 – May 31
Copalis <sup>a</sup>	That portion of GMU 642 that is designated as the hunt area by Rayonier Timber Company.	100	April 15 – June 15
Kapowsin <sup>a</sup>	That portion of GMUs 653 and/or 654 that is designated as the hunt area by Hancock Forest Management <u>and International Forestry</u> .	150	April 15 – <del>(June)</del> <u>May</u> 15
Lincoln <sup>a</sup>	That portion of GMU 501 that is designated as the hunt area by participating commercial timber landowners.	50	April 15 – May 31

<sup>a</sup>Spring black bear hunting seasons under this area constitute a pilot program to reduce black bear damage to trees.

<sup>b</sup>Permits are valid for the license year they are issued.

**Bag limit:** One black bear per black bear special permit season.

**License required:** A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option.

**Hunting method:** Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of dogs or bait to hunt black bear is prohibited statewide.

**Submitting bear teeth:** Successful bear hunters must submit the black bear premolar located behind the canine tooth of the upper jaw.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-287 2009-2010, 2010-2011, and 2011-2012 Cougar permit seasons and regulations.**

**Who may apply:** Anyone with a valid Washington big game license, which includes cougar as a species option.

**Hunt areas, permit levels, and season dates for each license year:**

Hunt Name	Hunt Area	Permits	Season Dates <sup>a</sup>
South Cascades	GMUs 503, 505, 510-520, 524, 550-574, 653, 654, 667	40	Jan. 1 - Mar. 31
Blue Mountains	GMUs 145-154, 162-186	<del>((40))</del> 100	Jan. 1 - Mar. 31
Kittitas-Yakima	GMUs 328-368	30	Jan. 1 - Mar. 31
Spokane	GMUs 124-133	30	Jan. 1 - Mar. 31
<del>((Chelan</del>	<del>Those portions of GMUs 243, 244, 245, 246, 247, 249, 250, and 251 within Chelan County.</del>	40	<del>Dec. 1-31</del>
<del>Okanogan</del>	<del>Those portions of GMUs 203, 209, 215, 218, 233, 224, 231, 239, and 242 within Okanogan County.</del>	40	<del>Dec. 1-31</del>
<del>Okanogan Ferry</del>	<del>GMUs 101, 105, 204</del>	20	<del>Dec. 1-31</del>
<del>Stevens-Pend Oreille</del>	<del>Those portions of GMUs 108, 111, 113, 117, 121 within Stevens and Pend Oreille counties.</del>	30	<del>Dec. 1-31</del>
<del>Klickitat</del>	<del>Those portions of GMUs 382, 388, 578 within Klickitat County.</del>	20	<del>Dec. 1-31))</del>

<sup>a</sup>Permits are valid for the license year they are issued.

**Requirements for Cougar Seasons:**

**Bag limit:** One (1) cougar per license year excluding public safety cougar removals. It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

**License required:** A valid big game hunting license, which includes cougar as a species option, is required to hunt cougar.

**Tag information:** One cougar transport tag is included with a big game license that has cougar as a species option.

**Hunting method:** The use of dogs to hunt cougar is prohibited except by a public safety cougar removal permit (WAC 232-12-243) or commission authorized hound permit (WAC 232-28-285).

**Cougar pelt sealing:** Any person who takes a cougar must comply with the sealing requirements in WAC 232-12-024.

NEW SECTION

**WAC 232-28-288 2010-2011 Fall black bear hunting seasons and regulations.**

Black Bear Management Unit	Season	Hunt Area
Coastal	Aug. 1 - Nov. 15	GMUs 501, 504, 506, 530, 601, 602, 603, 607-621, 636-651, 658-663, 672-684

Black Bear Management Unit	Season	Hunt Area
Puget Sound	Aug. 1 - Nov. 15	GMUs 407, 410, 454, 624, 627, 633, 652, 666, 667
North Cascades	Aug. 1 - Nov. 15	GMUs 418-450, 460
South Cascades	Aug. 14 - Nov. 15	GMUs 466, 485, 503, 505, 510-520, 524, 550-574, 653, 654
Okanogan	Aug. 14 - Nov. 15	GMUs 203, 209-243
East Cascades	Aug. 1 - Nov. 15	GMUs 244-247, 249-251, 328, 329-368, 382, 388, 578
Northeastern A	Sept. 1 - Nov. 15	GMUs 101-121, 204
Northeastern B	Aug. 14 - Nov. 15	GMUs 124-130
Blue Mountains	Sept. 1 - Nov. 15	GMUs 145-154, 162-186
Columbia Basin	Aug. 1 - Nov. 15	GMUs 133, 136, 139, 142, 248, 254, 260-290, 371-381
Long Island	Sept. 1 - Nov. 15	GMU 699

**Bag Limit:** Two (2) black bear per annual hunting season, only one of which may be taken in Eastern Washington.

**Area Restriction:** Special deer permit required to hunt black bear in GMU 485.

**License Required:** A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option. A second black bear transport tag must be purchased to take a second bear.

**Hunting Method:** Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of hounds and bait to hunt black bear is prohibited statewide.

**Submitting Bear Teeth:** Successful bear hunters must submit the black bear premolar tooth located behind the canine tooth of the upper jaw.

AMENDATORY SECTION (Amending Order 01-69, filed 4/26/01, effective 5/27/01)

**WAC 232-28-290 Washington raffle hunts.** 1. The commission, in consultation with the director, may authorize hunts for big game animals and wild turkey through raffle.

2. When a raffle hunt is adopted by the commission the director may conduct the raffle or may award a contract to a nonprofit wildlife conservation organization (hereafter referred to as "organization") to market and conduct the raffle drawing. The department of fish and wildlife shall solicit bids consistent with established state competitive bid rules.

3. There is no limit on the number of raffle tickets a person may purchase.

4. The organization interested in conducting a raffle for an authorized hunt shall submit a proposal outlining its experience and plan to conduct a raffle. The proposal shall include:

- a. Name of the organization, articles of incorporation, and contact person.
- b. The date, time, and place of the proposed raffle drawing.
- c. The approximate number of raffle tickets expected to be sold.
- d. Past experience in conducting raffles.
- e. Marketing strategies to be used.
- f. Portion of revenue proposed to be retained by the organization.

5. The director will select an organization to conduct a raffle.

a. Revenue potential to the department will be a primary criterion in applicant selection.

b. The department shall enter into a contract with the organization identifying specific terms of the contract.

c. The director may authorize the organization to sell raffle tickets for the department and retain a portion of the revenue from the tickets sold.

6. The following are rules for raffles conducted by a director authorized nonprofit wildlife conservation organization.

a. The organization shall notify the public about the raffle hunt opportunity and offer raffle tickets for sale.

b. The public must be informed of the date, time, and place of the raffle, and the organization must hold the drawing as specified.

c. The drawing must be accessible to the public.

d. Raffle ticket sales must be completed prior to the public drawing. An accounting must be made of raffle tickets and funds received. A representative of the department will monitor the drawing.

e. One winner and two alternates shall be drawn at the drawing.

f. The organization shall notify the department of the name, address, and telephone number of the raffle winner and two alternates immediately (but no later than two business days) after the drawing.

g. The department's share of the raffle revenue shall be delivered to the department within 30 (thirty) business days of the drawing.

7. The following are rules for raffles conducted by the department.

a. The department shall notify the public about the raffle hunt opportunity and offer raffle tickets for sale.

b. The department shall inform the public of date and place of the raffle, and hold the drawing as specified.

c. Raffle ticket sales must be complete prior to the drawing.

d. One winner and two alternates shall be drawn at the drawing.

8. The department will notify the winner and two alternates by telephone and by certified mail. The department will obtain enough information from the winner to issue the appropriate hunting license and transport tag(s).

9. If the winner does not contact the department within 15 business days of the drawing, the first alternate will be contacted and offered the raffle hunt. If the first alternate cannot be contacted within 10 business days after the winner disqualification deadline, the second alternate will be contacted and offered the raffle hunt. If the second alternate cannot be contacted within 10 business days after the first alternate disqualification deadline, the raffle hunt will not be offered by the department.

10. There shall be no refunds for any raffle ticket purchases.

11. The deer raffle winner may purchase an additional deer hunting license and transport tag and the elk raffle winner may purchase an additional elk hunting license and transport tag if desired. Even if drawn in a previous license year for a mountain goat, bighorn sheep, or moose hunt a hunter may participate in a raffle hunt. Turkey raffle winners may purchase up to three additional turkey licenses and transport tags.

12. Hunting licenses or transport tags obtained pursuant to a raffle may not be resold or reassigned.

13. ~~((All revenue to the department from a raffle shall be used for the management and benefit of that species))~~ Revenue from the sale of single-species raffle permits shall be used for the management of that species and revenue from the sale of multiple-species raffle permits shall be used for game management, except the hunting license and transport tag



fees for the appropriate species shall be deducted from the raffle revenue.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-291 Special hunting season permits.**

The commission may establish special hunting seasons (~~limited to species and/or weapon type~~) and may set the conditions for each category and hunt.

1. Deer, elk, cougar, or black bear special hunting season permit applications:

A. To apply for special hunting season permits for all categories of deer, elk, cougar, or black bear, applicants must have a valid Washington big game hunting license and a valid transport tag for the appropriate species. To apply for a particular hunt, each applicant for deer or elk must have the proper transport tag as identified in the special deer or elk permit regulations.

B. Multiple season deer and elk permit applications may be purchased without additional licenses or tags. Persons who are successfully drawn must purchase a multiple season permit for deer or elk and may also apply for archery, muzzleloader, or modern firearm special hunting season permits for the species drawn.

2. Mountain goat, moose, and bighorn sheep special hunting season permit applications:

A. Persons who have previously harvested a mountain goat, bighorn sheep ram, or bull moose in Washington are ineligible (~~to apply~~) for a special hunting season permit for that (~~species~~) category. This lifetime harvest restriction does not apply to individuals who harvested a mountain goat before 1999, raffle or auction hunt authorizations, ewe-only bighorn sheep hunts, (~~master hunter moose hunts,~~) or antlerless-only moose hunts.

B. Successful applicants under this section must purchase the appropriate hunting license (~~within fifteen days of the published notification~~) by the deadline established by the department (a minimum of 15 days). Failure to purchase forfeits the permit to an alternate applicant.

3. Wild turkey special hunting season permit applications

A. To apply for wild turkey special hunting season permits, each applicant must have a valid small game hunting license.

B. Fall wild turkey special hunting season permit holders must have a valid turkey transport tag in possession to hunt turkeys in fall special hunting seasons.

4. Special hunting season permit applications:

A. Maximum group sizes are determined for each category. If a group application is drawn, all hunters in the group will receive a special hunting season permit and each hunter in the group can take an animal. If the number of permits available in a hunt category is less than the maximum group size, then the maximum group size is equal to the number of permits.

- i. Maximum group size for deer is 8.
- ii. Maximum group size for elk is 8.
- iii. Maximum group size for bear is 2.
- iv. Maximum group size for cougar is 2.

v. Maximum group size for mountain goat is 2.

vi. Maximum group size for bighorn sheep is 2.

vii. Maximum group size for fall turkey is 4.

viii. Maximum group size for moose is 2.

ix. Maximum group size for multiple season deer is 2.

x. Maximum group size for multiple season elk is 2.

B. An applicant may purchase only one application for a special hunting season permit for each category.

C. Permits will be drawn by computer selection using a weighted point selection system.

i. Applicants will receive one point for each application category purchased.

ii. Once drawn for a permit, the applicant's points will be reduced to zero in that category.

D. Incomplete applications will not be accepted or entered into the drawing.

E. If an applicant makes a mistake, applies for the wrong hunt, and is successfully drawn, the special hunting season permit can be returned to the department of fish and wildlife Olympia headquarters before the opening day of the special hunting season (~~or the opening day of the general hunting season, whichever comes first~~). The applicant's points will be restored to the level prior to the permit drawing.

F. Anyone may apply for a special hunting season permit for deer, elk, bear, cougar, and wild turkey.

5. In addition to requirements for special hunting season permit applications, following are application requirements for:

A. Special hunting seasons for persons of disability: Only applicants with a Washington disabled hunter permit are eligible to apply for any special hunting season permits for persons of disability.

B. Special hunting seasons for youth: Only persons who are eligible to lawfully purchase a youth (~~hunting license~~) special hunt application are eligible to apply for special hunting season permits for youth.

C. Special hunting seasons for hunters age 65 and older: Only applicants sixty-five years of age or older on or before March 31 of the current license year will be eligible to apply for special hunting season permits for hunters age 65 and older (~~except for special moose hunts for persons age 65 and older, applicants must be 65 years of age or older by November 30 during the license year they are applying for~~).

D. Special hunting seasons for master hunter program graduates: Only persons who hold a valid certificate from the Washington department of fish and wildlife's master hunter program are eligible to apply for special hunting season permits for master hunters.

6. Citizen reward for reporting violations - bonus points: A person who provides information which contributes substantially to the arrest of another person for illegally hunting or killing big game or an endangered species as defined by Title 77 RCW is eligible to receive ten bonus points toward the special hunting permit drawing for one application category of deer or elk special hunting season permits.

A. Only ten bonus points can be awarded for providing information for each person charged regardless of the number of violations involved.

B. Selection of bonus points is in lieu of application for a cash award.

AMENDATORY SECTION (Amending Order 01-69, filed 4/26/01, effective 5/27/01)

**WAC 232-28-292 Washington auction hunts.** 1. The commission, in consultation with the director, may authorize hunts for big game animals and wild turkeys through auction.

2. When an auction hunt is adopted by the commission, the director shall solicit nonprofit wildlife conservation organizations (hereafter referred to as "organizations") to bid to market and conduct a public auction for the special auction hunt. The department of fish and wildlife shall solicit bids consistent with established state competitive bid rules.

3. The organization interested in conducting an auction for an authorized hunt shall submit a proposal outlining its experience and plan to conduct a public auction. The proposal shall include:

- a. Name of the organization, articles of incorporation, and contact person.
- b. The date, time, and place of the proposed public auction.
- c. The approximate number of people expected to attend the auction.
- d. Past experience in conducting auctions.
- e. Marketing strategies to be used.
- f. Portion of revenue proposed to be retained by the organization.

4. The director will select an organization to conduct an auction.

- a. Revenue potential to the department will be a primary criterion in applicant selection.
- b. The department shall enter into a contract with the organization identifying specific terms of the contract.

5. The organization shall notify the public about the auction hunt opportunities.

- a. The public must be informed of the date, time, and place of the auction and, the organization must hold the auction as specified.
- b. The auction must be accessible to the public.
- c. Anyone may bid on an auction permit.
- d. The organization shall award the hunt to the highest qualified bidder who will then become the auction hunt hunter.

e. The organization shall notify the department of the name and address of the successful bidder within two days of the auction.

f. The department's share of the auction revenue shall be delivered to the department within 30 days of the auction.

6. ~~((All revenue to the department from an auction shall be used for the management and benefit of that species.))~~ Revenue from the sale of single-species auction permits shall be used for the management of that species and revenue from

the sale of multiple-species auction permits shall be used for game management. Except, that the hunting license fees for the appropriate species shall be considered part of the auction price and be deducted from the auction revenue. A hunting license and transport tag will be mailed to the successful bidder.

7. The deer auction winner may purchase an additional deer hunting license and transport tag, and the elk auction winner may purchase an additional elk hunting license and transport tag. Even if drawn in a previous license year for a mountain goat, bighorn sheep, or moose hunt, a hunter may participate in an auction hunt.

8. Hunting licenses or transport tags obtained pursuant to an auction may not be resold or reassigned.

9. The auction hunt hunter shall comply with all applicable hunting rules and regulations.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-295 Landowner hunting permits.** A landowner may enter into a contract with the department and establish boundaries and other requirements for hunter access consistent with commission policy.

Hunters must possess both an access permit from the landowner and a hunting permit from the department when hunting on lands and for species covered under contract.

**(1) Buckrun**

Buckrun is located in Grant County, near the town of Wilson Creek.

Hunting on Buckrun is managed for a quality experience by scheduling hunt dates and keeping the number of hunters in the field low. Hunters with limited flexibility for hunt dates may experience scheduling problems. Hunters can generally expect one day hunts during the permit seasons with written authorization from the Buckrun manager. All hunters must check in and out on hunt day. Hunts will be scheduled on a first come basis by calling 509-345-2577 in advance.

**Deer**

**2009 Buckrun Landowner Hunting Permits**

The manager of Buckrun will distribute these hunting permits. An access fee may be charged in order to utilize these permits. No access fee will be charged for the raffle permit winners. Only hunters possessing a modern firearm deer tag are eligible for permits on Buckrun properties. Contact the manager at 509-345-2577 for additional information.

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless Mule Deer or any Whitetail Deer	Buckrun
Buckrun	30	Sept. 1 - Dec. 31	Any deer	Buckrun
Buckrun Raffle	10	Oct. 26 - Dec. 31	Any deer	Buckrun

**Deer****2009 Buckrun Special Hunting Permits**

Hunters apply to the Washington department of fish and wildlife for these permits. Only hunters possessing a modern firearm deer tag are eligible for Buckrun special permits. All hunters must check in and out. Schedule hunts in advance by calling 509-345-2577.

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless Mule Deer or any White-tail Deer	Buckrun

**(2) Silver Dollar Association**

The Silver Dollar Association is located in Yakima and Benton counties, on the western edge of the Hanford Reservation. A legal description of the property is in the contract between the Silver Dollar Association and the department.

**2009-10 Silver Dollar Association Landowner Hunting Permits**

The manager of the Silver Dollar Association will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

**Elk**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Silver Dollar	24	Aug. 1 - March 31	Any Elk	Silver Dollar
Silver Dollar	8	Aug. 1 - March 31	Antlerless	Silver Dollar

**2009-10 Silver Dollar Special Hunting Permits**

Hunters apply to the Washington department of fish and wildlife for these permits.

**Elk**

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Silver Dollar	8	Aug. 1 - March 31	Youth Only, Any Elk	Silver Dollar
Silver Dollar Antlerless Elk	6	Aug. 1 - March 31	Youth Only, Antlerless Elk Only	Silver Dollar
Silver Dollar Antlerless Elk	2	Aug. 1 - March 31	Persons of Disability Only, Antlerless Elk Only	Silver Dollar

**(3) Blackrock Ranches**

Blackrock Ranches is located in Yakima County, west of the Hanford Reservation. A legal description of the property is in the contract between Blackrock Ranches and the department.

**2009-10 Blackrock Ranches Landowner Hunting Permits**

The manager of Blackrock Ranches will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

**Elk**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Blackrock Ranches	6	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	6	Aug. 1 - March 31	Antlerless	Blackrock Ranches

**2009-10 Blackrock Ranches Special Hunting Permits**

Hunters apply to the Washington department of fish and wildlife for these permits.

**Elk**

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Blackrock Ranches	1	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	3	Aug. 1 - March 31	Antlerless Only	Blackrock Ranches
Blackrock Ranches	1	Aug. 1 - March 31	Youth Only, Any Elk	Blackrock Ranches
Blackrock Ranches	3	Aug. 1 - March 31	Youth Only, Antlerless Only	Blackrock Ranches

**(4) (~~Teanaway Ranch~~)**

The Teanaway Ranch is located in Kittitas County, 7 miles west of Cle Elum. A legal description of the property is in the contract between the Teanaway Ranch and the department.

**~~2009-10 Teanaway Landowner Hunting Permits~~**

The manager of the Teanaway Ranch will distribute this hunting permit. An access fee may be charged in order to utilize this permit.

**~~Elk~~**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
<del>Teanaway Ranch</del>	<del>1</del>	<del>Oct. 1 - Jan. 31</del>	<del>Any Bull</del>	<del>Teanaway Ranch</del>

**~~2009-10 Teanaway Special Hunting Permits~~**

Hunters apply to the Washington department of fish and wildlife for this permit.

**~~ELK~~**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
<del>Teanaway Ranch</del>	<del>1</del>	<del>Oct. 1 - Jan. 31</del>	<del>Any Bull</del>	<del>Teanaway Ranch</del>

**(5)) Pine Mountain Ranch**

The Pine Mountain Ranch is located in Yakima County, 14 miles west of Yakima. A legal description of the property is in the contract between the Pine Mountain Ranch and the department.

**2009 Pine Mountain Ranch Landowner Hunting Permits**

The manager of the Pine Mountain Ranch will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

**Deer**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	2	Nov. 2 - Dec. 31	Any Buck	Pine Mountain Ranch

**Elk**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Nov. 2 - Dec. 31	Any Bull	Pine Mountain Ranch

**2009 Pine Mountain Ranch Special Hunting Permits**

Hunters apply to Washington department of fish and wildlife for these permits.

**Deer**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	2	Nov. 2 - Dec. 31	Youth Only, Any Buck	Pine Mountain Ranch

## Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Nov. 2 - Dec. 31	Youth Only, Any Bull	Pine Mountain Ranch

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-337 Deer and elk area descriptions.**

**ELK AREAS**

**Elk Area No. 1008 West Wenaha (Columbia County):** That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.

**Elk Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties):** That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork Butte Creek) to Butte Creek, and east of Butte Creek to the Washington-Oregon state line.

**Elk Area No. 1010 (Columbia County):** GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

**Elk Area No. 1011 (Columbia County):** That part of GMU 162 east of the North Touchet Road, excluding National Forest land.

**Elk Area No. 1012 (Columbia County):** That part of GMU 162 west of the North Touchet Road, excluding National Forest land and the Rainwater Wildlife Area.

**Elk Area No. 1013 (Asotin County):** GMU 172, excluding National Forest lands.

**Elk Area No. 1014 (Columbia-Garfield counties):** That part of GMU 166 Tucannon west of the Tucannon River and USFS Trail No. 3110 (Jelly Spr.-Diamond Pk. Trail).

**Elk Area No. 1015 Turnbull (Spokane County):** Located in GMU 130, designated areas within the boundaries of Turnbull National Wildlife Refuge.

**Elk Area No. 1016 (Columbia County):** GMU-162 Dayton, excluding the Rainwater Wildlife Area.

**Elk Area No. 2032 Malaga (Kittitas and Chelan counties):** Beginning at the mouth of Davies Canyon on the Columbia River; west along Davies Canyon to the cliffs above (north of) the North Fork Tarpiscan Creek; west and north along the cliffs to the Bonneville Power Line; southwest along the power line to the North Fork Tarpiscan Road in Section 9, Township 20N, Range 21E; north and west along North Fork Tarpiscan Road to Colockum Pass Road (Section 9, Township 20N, Range 21E); south and west on Colockum Pass Road to section line between Sections 8 & 9; north along the section line between Sections 8 and 9 as well as Sections 4 & 5 (T20N, R21E) & Sections 32 & 33 (T21N, R21E) to Moses Carr Road; west and north on Moses Carr Road to Jump Off Road; south and west on Jump Off Road to Shaller Road; north and west on Shaller Road to Upper Basin Loop Road; north and west on Upper Basin Loop Road to Wheeler Ridge Road; north on Wheeler Ridge Road to the Basin Loop Road

(pavement) in Section 10 (T21N, R20E); north on Basin Loop Road to Wenatchee Heights Road; west on Wenatchee Heights Road to Squilchuck Road; south on Squilchuck Road to Beehive Road (USFS Rd 9712); northwest on Beehive Road to USFS Rd 7100 near Beehive Reservoir; north and west on USFS Rd 7100 to Peavine Canyon Road (USFS Rd 7101); north and east on Peavine Canyon Road to Number Two Canyon Road; north on Number Two Canyon Road to Crawford Street in Wenatchee; east on Crawford Street to the Columbia River; south and east along the Columbia River to Davies Canyon and point of beginning. (Naneum Green Dot, Washington Gazetteer, Wenatchee National Forest)

**Elk Area No. 2033 Peshastin (Chelan County):** Starting at the Division St bridge over the Wenatchee River in the town of Cashmere; S on Aplets Way then Division St to Pioneer St; W on Pioneer St to Mission Creek Rd; S on Mission Creek Rd to Binder Rd; W on Binder Rd to Mission Creek Rd; S on Mission Creek Rd to Tripp Canyon Rd; W on Tripp Canyon Rd to where Tripp Canyon Rd stops following Tripp Creek; W on Tripp Creek to its headwaters; W up the drainage, about 1000 feet, to US Forest Service (USFS) Rd 7200-160; W on USFS Rd 7200-160 to Camas Creek Rd (USFS Rd 7200); W on Camas Creek Rd (USFS 7200 Rd) (excluding Camas Land firearm closure\*) to US Hwy 97; N on US Hwy 97 to Mountain Home Rd (USFS 7300 Rd); N on Mountain Home Rd to the Wenatchee River in the town of Leavenworth; S on the Wenatchee River to the Division St bridge in Cashmere and the point of beginning.

**Elk Area No. 2051 Tronsen (Chelan County):** All of GMU 251 except that portion described as follows: Beginning at the junction of Naneum Ridge Road (WDFW Rd 9) and Ingersol Road (WDFW Rd 1); north and east on Ingersol Road to Colockum Road (WDFW Rd 10); east on Colockum Road and Colockum Creek to the intersection of Colockum Creek and the Columbia River; south on the Columbia River to mouth of Tarpiscan Creek; west up Tarpiscan Creek and Tarpiscan Road (WDFW Rd 14) and North Fork Road (WDFW Rd 10.10) to the intersection of North Fork Road and Colockum Road; southwest on Colockum Road to Naneum Ridge Road; west on Naneum Ridge Road to Ingersol Road and the point of beginning.

**Elk Area No. 3068 Klickitat Meadows (Yakima County):** Beginning at Darland Mountain, southeast along the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to the point due west of the headwaters of Reservation Creek (Section 18, T12N, R14E); then along a line due west to Spencer Point (as represented in the DNR 100k map); northeast from Spencer Point to US Forest Service (USFS) Trail 1136; north along USFS Trail 1136 to USFS Trail 615; east on USFS Trail 615 to Darland Mountain and the point of beginning.

**Elk Area No. 3681 Ahtanum (Yakima County):** That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Highway 12; northeast on Highway 12 to the Naches River; southeast down the Naches River to Cowiche Creek; west up Cowiche Creek and South Fork Cowiche Creek to Summitview Avenue; northwest on Summitview Avenue to Cowiche Mill Road; west on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13; southeast along the power line to Ahtanum Creek and the point of beginning.

**Elk Area No. 3721 Corral Canyon (Benton and Yakima counties):** That part of GMU 372 beginning at the Yakima River Bridge on SR 241 just north of Mabton; north along SR 241 to the Rattlesnake Ridge Road (mile post #19); east on Rattlesnake Ridge Road to the Hanford Reach National Monument's (HRNM) southwest corner boundary; east and south along the HRNM boundary to SR 225; south on SR 225 to the Yakima River Bridge in Benton City; west (upstream) along Yakima River to point of beginning (SR 241 Bridge).

**Elk Area No. 3722 Blackrock (Benton and Yakima counties):** That part of GMU 372 beginning at southern corner of the Yakima Training Center border on Columbia River, northwest of Priest Rapids Dam; southeast on southern shore of Columbia River (Priest Rapids Lake) to Priest Rapids Dam; east along Columbia River to the Hanford Reach National Monument's (HRNM) western boundary; south along the HRNM boundary to the Rattlesnake Ridge Road; west on Rattlesnake Ridge Road to SR 241; south on SR 241 to the Yakima River Bridge just north of Mabton; west along Yakima River to SR 823 (Harrison Road) south of town of Pomona; east along SR 823 (Harrison Road) to SR 821; southeast on SR 821 to Firing Center Road at I-82; east on Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

**Elk Area No. 3911 Fairview (Kittitas County):** Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and Interstate 90; east along the power lines to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to Pennsylvania Avenue; northeast along Pennsylvania Avenue to No. 6 Canyon Road; northeast along No. 6 Canyon Road to Cle Elum Ridge Road; north along Cle Elum Ridge Road to Carlson Canyon Road; northeast along Carl-

son Canyon Road to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; north-east on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to Parke Creek; north on Parke Creek to Whiskey Jim Creek; east on Whiskey Jim Creek to the Wild Horse Wind Farm Boundary; south and East on Wild Horse Wind Farm boundary to the Vantage Highway; east along the Vantage Highway to the first power line crossing; southwest along the power lines to where they intersect with the second set of BPA power lines in T17N, R21E, Section 18; southeast along the BPA power lines to I-90; west along I-90 to the Yakima Training Center boundary; south and west along the Yakima Training Center boundary to I-82; north on I-82 to Thrall Road; west on Thrall Road to Wilson Creek; south on Wilson Creek to Yakima River; north on Yakima River to gas pipeline crossing in T17N, R18E, Section 25; south and west on the gas pipeline to Umtanum Creek; west on Umtanum Creek to the Durr Road; north on the Durr Road to Umtanum Road; north on Umtanum Road to South Branch Canal; west on South Branch Canal to Bradshaw/Hanson Road; west on Bradshaw Road to the elk fence; north and west along the elk fence to power line crossing in T19N, R16E, Section 10; west along the power line (south branch) to Big Creek; north on Big Creek to Nelson Siding Road; west and north on Nelson Siding Road to I-90; east on I-90 to point of beginning.

**Elk Area No. 3912 Old Naches (Yakima County):** Starting at the elk fence and Roza Canal along the south boundary T14N, R19E, Section 8; following the elk fence to the big-horn sheep feeding site in T15N, R16E, Section 36; south on the feeding site access road to the Old Naches Highway; west and south on the Old Naches Highway to State Route 12 and the Naches River; down the Naches River to the Tieton River; up the Tieton River approximately 2 miles to the intersection of the metal footbridge and the elk fence at the south end of the bridge in T14N, R16E, Section 3; south along the elk fence to the top of the cliff/rimrock line; southwest along the top of the cliff/rimrock line to the irrigation canal in T14N, R16E, Section 9; southwest along the irrigation canal to the elk fence in T14N, R16E, Section 8; south along the elk fence to the township line between T12N, R15E and T12N, R16E; south along the township line to the South Fork Ahtanum Creek; downstream along the South Fork Ahtanum Creek and Ahtanum Creek to the Yakima River; upstream along the Yakima River to Roza Canal and point of beginning.

**Elk Area No. 4041 Grandy Creek (Skagit County):** Begin at the intersection of CP 190 Road and CP 132 Road (Section 28, T36N, R5E); east along the CP 132 Road to the CP 130 Road; east and south along CP 130 Road to CP 110 Road; west, south and east along CP 110 Road to Childs Creek;

south down Childs Creek to State Route 20; east on State Route 20 to Grandy Creek; south down Grandy Creek to the Skagit River; south on a line to South Skagit Hwy; west on South Skagit Hwy to State Route 9; north on State Route 9 to State Route 20; east on State Route 20 to Helmick Road; north on Helmick Road to CP 190 Road to CP 132 Road and the point of beginning. (WA Atlas & Gazetteer & Mt. Baker-Snoqualmie National Forest Map)

**Elk Area No. 4601 North Bend (King County):** That portion of King County within the following described boundary. Beginning at the interchange of State Route (SR) 18 and I-90; W on I-90 to SE 82nd St, Exit 22, at the town of Preston; N on SE 82nd Street to Preston Fall City Rd SE (Old SR 203); N on Preston Fall City Rd SE to SE Fall City Snoqualmie Rd (SR 202) at the town of Fall City; E on SE Fall City Snoqualmie Rd to the crossing of Tokul Creek; N and E up Tokul Creek to its crossing with Tokul Rd SE; S on SE Tokul Rd to SE 53rd Way; E on SE 53rd Way where it turns into 396th Dr SE then S on 396th Dr SE to SE Reinig Rd; E on SE Reinig Rd to 428th Ave SE; N on 428th Ave SE to where it turns into North Fork Rd SE; N and E on North Fork Rd SE to Ernie's Grove Rd; E on Ernie's Grove Rd to SE 70th St; N on SE 70th St to its ends at Fantastic Falls on the North Fork Snoqualmie River; SW down the North Fork Snoqualmie River to the end of Moon Valley Rd SE; S and W on Moon Valley Rd SE to where it turns into SE 87th St; W on SE 87th to 436th Pl SE; S on 436th Pl SE to 436th Ave SE; S on 436th Ave SE to SE 92nd St; W on SE 92nd St to 428th Ave SE; S on 428th Ave SE to the crossing of the Middle Fork Snoqualmie River; S and E up the Middle Fork Snoqualmie River to SE Mt Si Road; E on SE Mt Si to the "School Bus" turnaround at SE 114th St; S on 480th Ave SE to SE 130th St; S and E on SE 130th St to its end; SSE overland from the end of SE 130th St, over the Middle Fork Snoqualmie River, to the end of 486th Ave SE; S on 486th Ave SE to the intersection with SE Middle Fork Road; Due S, from said intersection, up Grouse Mountain toward its peak, to the logging road adjacent to Grouse Mountain Peak; S down the logging road to Grouse Ridge Access Rd; W on Grouse Ridge Access Road which becomes SE 146th St; W on SE 146th St to 468th Ave SE (SE Edgewick Rd); S on 468th Ave SE (SE Edgewick Rd) to the boundary of the Iron Horse State Park; W along the boundary of Iron Horse State Park to the boundary of the Rattlesnake Lake Recreation Area; W along the boundary of the Rattlesnake Lake Recreation Area to Cedar Falls Rd SE; N along the Cedar Falls Rd to SE 174th Way; W on SE 174th Way to SE 174th St; W on SE 174th St to SE 173rd St; W on SE 173rd St to SE 170th Pl; W on SE 170th Pl to SE 169th St; W on SE 169th St to 424th Ave SE; N on 424th Ave SE to SE 168th St; W on SE 168th St to 422 Ave SE; N on 422 Ave SE to 426th Way SE; S on 426th Way SE to SE 164th St; E on SE 164th St to Uplands Way SE; W on Uplands Way SE to the crossing with the Power Transmission Lines; W along the Power Transmission Lines to the Winery Rd; NW on the Winery Rd to SE 99th Rd; W and N on SE 99th Rd to the I-90 interchange, at Exit 27; SW on I-90 to the interchange with SR 18 and the point of beginning.

**Elk Area No. 4941 Skagit River (Skagit County):** That portion of GMU 437 beginning at the intersection of State Route 9 and State Route 20; east on State Route 20 to Cape Horn Road NE; south down Cape Horn Road NE to the power line crossing which passes over the Skagit River; east on the power line to the Skagit River; south and west down the Skagit River to Pressentine Creek; south up Pressentine Creek to the South Skagit Highway; west on South Skagit Highway to State Route 9; north on State Route 9 to point of beginning.

**Elk Area No. 5029 Toledo (Lewis and Cowlitz counties):** Beginning at the Cowlitz River and State Highway 505 junction; east along the Cowlitz River to the Weyerhaeuser 1800 Road; south along Weyerhaeuser 1800 Road to Cedar Creek Road; east along Cedar Creek Road to Due Road; south on Due Road to Weyerhaeuser 1823 Road; south along Weyerhaeuser 1823 Road to the Weyerhaeuser 1945 Road; south along the Weyerhaeuser 1945 Road to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the North Fork Toutle River; west along the North Fork Toutle River to the Toutle River; west on the Toutle River to the Cowlitz River; North along the Cowlitz River to the junction of State Highway 505 and the point of beginning.

**Elk Area No. 5049 Ethel (Lewis County):** That part of GMU 505 beginning at the intersection of Jackson Highway and Highway 12; south along Jackson Highway to Buckley Road; south on Buckley Road to Spencer Road; east on Spencer Road to Fuller Road; north on Fuller Road to Highway 12; east on Highway 12 to Stowell Road; north on Stowell Road to Gore Road; west on Gore Road to Larmon Road; west on Larmon Road to Highway 12; west on Highway 12 to Jackson Highway and point of beginning.

**Elk Area No. 5050 Newaukum (Lewis County):** That part of GMU 505 beginning at the intersection of Interstate 5 and Highway 12; east on Highway 12 to Larmon Road; east on Larmon Road to Leonard Road; north on Leonard Road through the town of Onalaska to Degler Road; north on Degler Road to Middle Fork Road; east on Middle Fork Road to Beck Road; north on Beck Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Logan Hill Road; south then west on Logan Hill Road to Jackson Highway; south on Jackson Highway to the Newaukum River; west along the Newaukum River to Interstate 5; south on Interstate 5 to Highway 12 and point of beginning.

**Elk Area No. 5051 Green Mountain (Cowlitz County):** Beginning at the junction of the Cowlitz River and the Toutle River; east along the Toutle River to the North Fork Toutle River; east along the North Fork Toutle River to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the Weyerhaeuser 1910 Road; south along the Weyerhaeuser 1910 Road to the Weyerhaeuser 2410 Road; south along the Weyerhaeuser 2410 Road to the Weyerhaeuser 4553 Road; south along the Weyerhaeuser 4553 Road to the Weyerhaeuser 4500 Road; south along the Weyerhaeuser 4500 Road to the Weyerhaeuser 4400 Road; south along the Weyerhaeuser 4400 Road to the Weyerhaeuser 4100 Road; east along the Weyerhaeuser 4100 Road to the Weyerhaeuser 4700 Road; south along the Weyerhaeuser 4700 Road to the

Weyerhaeuser 4720 Road; west along the Weyerhaeuser 4720 Road to the Weyerhaeuser 4730 Road; west along the Weyerhaeuser 4730 Road to the Weyerhaeuser 4732 Road; west along the Weyerhaeuser 4732 Road to the Weyerhaeuser 4790 Road; west along the Weyerhaeuser 4790 Road to the Weyerhaeuser 1390 Road; south along the Weyerhaeuser 1390 Road to the Weyerhaeuser 1600 Road; west along the Weyerhaeuser 1600 Road to the Weyerhaeuser Logging Railroad Tracks at Headquarters; west along the Weyerhaeuser Logging Railroad Track to Ostrander Creek; west along Ostrander Creek to the Cowlitz River; north along the Cowlitz River to the Toutle River and point of beginning.

**Elk Area No. 5052 Mossyrock (Lewis County):** Beginning at the intersection of Winston Creek Road and State Highway 12; east on State Highway 12 to the Cowlitz River; east on the Cowlitz River to Riffe Lake; southeast along the south shore of Riffe Lake to Swofford Pond outlet creek; south on Swofford Pond outlet creek to Green Mountain Road; west on Green Mountain Road to Perkins Road; west on Perkins Road to Longbell Road; south on Longbell Road to Winston Creek Road; north on Winston Creek Road to State Highway 12 and the point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

**Elk Area No. 5053 Randle (Lewis County):** Beginning at the town of Randle and the intersection of U.S. Highway 12 and State Route 131 (Forest Service 23 and 25 roads); south on State Route 131 to Forest Service 25 Road; south on Forest Service 25 Road to the Cispus River; west along the Cispus River to the Champion 300 line bridge; south and west on the Champion 300 line to the Champion Haul Road; north along the Champion Haul Road to Kosmos Road; north on Kosmos Road to U.S. Highway 12; east on U.S. Highway 12 to Randle and point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

**Elk Area No. 5054 Boistfort (Lewis County):** Beginning at the town of Vader; west along State Highway 506 to the Wildwood Road; north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Willamette Meridian); northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); west along the Pe Ell/McDonald Road to the Lost Valley Road; northeast along the Lost Valley Road to the Boistfort Road; north along the Boistfort Road to the King Road; east along the King Road to the town of Winlock and State Highway 603; south along Highway 505 to Interstate 5; south along Interstate 5 to State Hwy 506; west along State Hwy 506 to the town of Vader and the point of beginning.

**Elk Area No. 5056 Grays River Valley (Wahkiakum County):** On or within 3/4 mile of agricultural land in the Grays River Valley within the following sections: T10N, R7W, Sections 8, 9, 17, 18 and T10N, R8W, Sections 13, 23, 24, 26.

**Elk Area No. 5057 Carlton (Lewis County):** That part of 513 (South Rainier) lying east of Highway 123 and north of Highway 12.

**Elk Area No. 5058 West Goat Rocks (Lewis County):** Goat Rocks Wilderness west of the Pacific Crest Trail.

**Elk Area No. 5059 Mt. Adams Wilderness (Skamania and Yakima counties):** The Mt. Adams Wilderness.

**Elk Area No. 5060 Merwin (Cowlitz County):** Begin at the State Route 503 and the Longview Fibre Road WS-8000 junction; north and west on the Longview Fibre Road WS-8000 to Day Place Road; west on Day Place Road to Dubois Road; south on Dubois Road to State Route 503; east on State Route 503 to the State Route 503 and the Longview Fibre Road WS-8000 junction and point of beginning.

**Elk Area No. 5061 Wildwood (Lewis County):** Beginning at the junction of the Pacific West Timber (PWT) 600 Road and the Wildwood Road (SE1/4 S29 T11N R3W); southwest on the 600 Road to the 800 Road (NW1/4 S36 T11N R4W); southwest on the 800 Road to the 850 Road (SW1/4 S3 T10N R4W); northwest on the 850 Road to the Weyerhaeuser 4720 Road (S20 T11N R4W); north on the Weyerhaeuser 4720 Road to the Weyerhaeuser 4700 Road (S17 T11N R4W); east on the Weyerhaeuser 4700 Road to the Weyerhaeuser 5822 Road (NW1/4 S16 T11N R4W); east on the Weyerhaeuser 5822 Road to the Weyerhaeuser 5820 Road (NW1/4 S10 T11N R4W); southeast on the Weyerhaeuser 5820 Road to the PWT 574 Road (SE1/4 S10 T11N R4W); south on the PWT 574 Road to the 570 Road (NW1/4 S14 T11N R4W); south on the 570 Road to the 500 Road (NW1/4 S14 T11N R4W); northeast on the 500 Road to the 560 Road (SW1/4 S12 T11N R4W); east on the 560 Road to the 540 Road (SE1/4 S12 T11N R4W); east and south on the 540 Road to the 500 Road (SE1/4 S18 T11N R3W); east on the PWT 500 Road to the Wildwood Road (N1/2 S20 T11N R3W); south on the Wildwood Road to the point of beginning, the PWT 600 Road junction (SE1/4 S29 T11N R3W).

**Elk Area No. 5062 Trout Lake (Klickitat County):** Those portions of GMUs 560 (Lewis River) and 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; north on Mount Adams Recreational Area Road to USFS Road 23; north on USFS Road 23 to DNR T-4300 Road; west on DNR T-4300 Road to Trout Lake Creek Road; south on Trout Lake Creek Road to SR 141; east and south on SR 141 to the intersection of SR 141 and Sunnyside Road to the point of beginning.

**Elk Area No. 5063 Pumice Plain (Cowlitz and Skamania counties):** That part of GMU 522 beginning at the confluence of the N. Fork Toutle River and Castle Creek; East along the N. Fork Toutle River to USFS trail 207; south along USFS trail 207 to USFS trail 216E; southwest along USFS trail 216E to USFS trail 216; west along USGS trail 216 to USGS 216G; northwest along USFS trail 216G to USGS trail 221; north along USFS 221 to Castle Creek; northwest along Castle Creek to N. Fork Toutle River and point of beginning.



**Elk Area No. 5064 Upper Smith Creek (Skamania County):** That part of GMU 522 beginning at the U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 (Smith Creek Trail) junction; south on Trail 225 to Ape Canyon Creek; south and west up Ape Canyon Creek to U.S. Forest Service Trail 216 (Loowit Trail); north on Trail 216 to U.S. Forest Service Trail 216D (Abraham Trail); north on Trail 216D to U.S. Forest Service Trail 207 (Truman Trail); north and east on Trail 207 to U.S. Forest Service Rd. 99; north and east on U.S. Forest Service Rd. 99 to the junction of U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 and the point of beginning.

**Elk Area No. 5065 Mount Whittier (Skamania County):** That part of GMU 522 beginning at the U.S. Forest Service Trail 1 (Boundary Trail) and U.S. Forest Service Trail 214 (Whittier Ridge Trail) junction; west on the U.S. Forest Service Trail 1 to U.S. Forest Service Trail 230 (Coldwater Trail); north on U.S. Forest Service Trail 230 to U.S. Forest Service Trail 211 (Lakes Trail); east on Trail 211 to U.S. Forest Service Trail 214; south on U.S. Forest Service Trail 214 to the junction of U.S. Forest Service Trail 214 and U.S. Forest Service Trail 1 and the point of beginning.

**Elk Area No. 5090 JBH (Wahkiakum County):** The mainland portion of the Julia Butler Hansen National Wildlife Refuge, as administered by the U.S. Fish and Wildlife Service as described: Beginning at the junction of State Route 4 and Steamboat Island Slough Road, northwest on Steamboat Island Slough Road to Brooks Slough Road, east on Brooks Slough Road to State Route 4, south on State Route 4 to Steamboat Slough Road and point of beginning.

**Elk Area No. 5099 Mudflow (Cowlitz County):** That part of GMU 522 beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; SE up the North Fork Toutle River to Deer Creek; SE up Deer Creek to Weyerhaeuser (Weyco) 3020 line; NW along Weyco 3020 line to Weyco 3000 line; E along Weyco 3000 line to Weyco 3000P line; E on the 3000P line to Weyco 5600 Line to the Mount Saint Helens National Volcanic Monument Boundary; N on the Mount Saint Helens National Volcanic Monument Boundary to SR 504; W on SR 504 to Hoffstadt Creek Bridge on Hoffstadt Creek; S and W down Hoffstadt Creek to the North Fork Toutle River and point of beginning.

**Elk Area No. 6010 Mallis (Pacific County):** That part of GMUs 506, 672, and 673 within one mile either side of State Road 6 between the east end of Elk Prairie Road and the Mallis Landing Road.

**Elk Area No. 6011 Centralia Mine (Lewis County):** That portion of GMU 667 within Centralia Mine property boundary.

**Elk Area No. 6012 Tri Valley (Grays Harbor and Mason counties):** Those portions of GMUs 648 (Wynoochee) and 651 (Satsop) within one mile of Brady-Matlock Road from State Highway 12 north to the junction with Schaefer State Park Road (east Satsop Road) and all lands within one mile of Wynoochee Valley Road from State Highway 12 north to the junction with Cougar Smith Road, and all lands within one mile of Wishkah Valley Road from north Aberdeen city limit

to mile post 16 and all lands within 2 miles north of SR 12 between the Satsop River and Schouweiler and Hurd roads and then a line north from the end of Hurd Road to a point 2 miles north of SR 12.

**Elk Area No. 6013 (Pierce County):** That part of GMU 652 beginning at the intersection of Highway 167 and Highway 410; north on Highway 167 to Highway 18; east on Highway 18 to Highway 164; southeasterly on Highway 164 to Highway 410; westerly on Highway 410 to Highway 167 and the point of beginning.

**Elk Area No. 6054 Puyallup River (Pierce County):** Beginning at the intersection of the Mount Rainier National Park western boundary and the Nisqually River, west down Nisqually River to mouth of Mashel River; north up Mashel River to SR 161 bridge (Eatonville-LaGrande Rd); north on SR 161 through Eatonville to Orville Rd E (Kapowsin-Eatonville Rd); north on Orville Rd E to Hancock's Kapowsin Tree Farm ownership boundary at the north end of Ohop Lake (Kapowsin and Buckley Tree Farms map); east along Kapowsin Tree Farm boundary to Mount Rainier National Park boundary; south long Mount Rainier National Park boundary to Nisqually River and point of beginning.

**Elk Area No. 6061 Twin Satsop Farms (Mason County):** That portion of GMU 651 starting at the junction of the Deckerville Road and the Brady-Matlock Road; southwest to the junction with the West Boundary Road; north on West Boundary Road to the Deckerville Road; east on the Deckerville Road to the junction of Brady-Matlock Road and point of beginning. In addition, the area within a circle with a radius of two miles centered on the junction of State Route 108 and the Eich Road.

**Elk Area No. 6062 South Bank (Grays Harbor County):** That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; southeast on the South Bank Road to Delezene Road; south on the Delezene Road to a point one mile from the South Bank Road; southeast along a line one mile southwest of the South Bank Road to the Oakville-Brooklyn Road; east on the Oakville-Brooklyn Road to Oakville and Highway 12; northwest on Highway 12 to Wakefield Road to Elma and the point of beginning.

**Elk Area No. 6063 (Grays Harbor and Jefferson counties):** Private lands within Elk Area 6064 east of Highway 101.

**Elk Area No. 6064 Quinault Valley (Grays Harbor and Jefferson counties):** That portion of GMU 638 (Quinault) within the Quinault River watershed east of Gattion Creek and Lake Quinault.

**Elk Area No. 6066 Chehalis Valley (Grays Harbor County):** That portion of GMU 660 (Minot Peak) beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of South Bank Road to Delezene Road; north along Delezene Road to South

Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to Chehalis River; west on Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 and the point of beginning.

**Elk Area No. 6067 North Minot (Grays Harbor County):** The portion of GMU 660 (Minot Peak) beginning at the junction on State Route 107 and the Melbourne A-line, on the Melbourne A-line to the Vesta F-line; south on Vesta F-line to Vesta H-line (Vesta Creek Road); south on Vesta Creek Road to the North River Road; south and east on North River Road to the Brooklyn Road; east on Brooklyn Road to the Garrard Creek Road; east and north on Garrard Creek Road to the South Bank Road; east on South Bank to South State Street (Oakville); north on South State Street to U.S. 12; northwest and west on U.S. 12 to State Route 107; south and southwest on SR 107 to the Melbourne A-line and the point of beginning.

**Elk Area No. 6068 Willapa (Grays Harbor County):** That part of GMU 658 south of SR 105 between the intersection of SR 105 and Hammond Road and the SR 105 bridge over Smith Creek; and within one mile north of SR 105 west from Hammond Road and east of the SR 105 bridge over Smith Creek.

**Elk Area No. 6069 Hanaford (Lewis and Thurston counties):** That part of GMU 667 (Skookumchuck) beginning at the intersection of Salzer Valley Road and Centralia-Alpha Road; east and north on Salzer Valley Road to Little Hanaford Road; west on Little Hanaford Road to Teitzel Road; north on Teitzel Road to Big Hanaford Road; west on Big Hanaford Road to State Route 507; north on State Route 507 to Skookumchuck Road; east on Skookumchuck Road to the first bridge over the Skookumchuck River; east along the Skookumchuck River to the Skookumchuck Road bridge; east on Skookumchuck Road to the steel tower power line; southwest along the power line to Big Hanaford Road; east and south along Big Hanaford Road to Weyerhaeuser Road E150; east on Weyerhaeuser Road E150 to Weyerhaeuser Road E247; south and west on Weyerhaeuser Road E247 to Weyerhaeuser Road E240; south on Weyerhaeuser Road E240 to North Fork Road; south on North Fork Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Salzer Valley Road and the point of beginning.

**Elk Area No. 6071 Dungeness (Clallam County):** Portions of GMUs 621 (Olympic) and 624 (Coyle) beginning at the mouth of the Dungeness River; east and south along the coast of the Strait of Juan De Fuca to the mouth of Jimmycome-lately Creek on Sequim Bay; south and west up Jimmycome-lately Creek to US Hwy 101; east on US Hwy 101 to Chicken Coop Road; east and north on Chicken Coop Road to the Clallam-Jefferson county line; south and west along the Clallam-Jefferson county line to the Olympic National Park boundary; north and west along the Olympic Park boundary to McDonald Creek; north along McDonald Creek to US Hwy 101; east along US Hwy 101 to the Dungeness River; north down the Dungeness River to its mouth and the point of beginning.

**Elk Area No. 6072 Sol Duc Valley (Clallam County):** That portion of GMU 607 (Sol Duc) between the Sol Duc River and Hwy 101 from a point at the Sol Duc River bridge over Hwy 101 approximately 2 miles north of Forks to the westernmost Sol Duc River bridge over Hwy 101 at a point approximately 1 mile east of Lake Pleasant.

**Elk Area No. 6073 Clearwater Valley (Jefferson County):** That portion of GMU 615 (Clearwater) within one mile of the Clearwater Road from the Quinault Indian Reservation boundary to a point 4 miles to the north.

#### DEER AREAS

**Deer Area No. 1010 (Columbia County):** GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

**Deer Area No. 1020 Prescott (Columbia and Garfield counties):** That portion of GMU 149 between Hwy 261 and Hwy 127.

**Deer Area No. 1021 Clarkston (Asotin County):** That portion of GMU 178 beginning at the junction of the Highway 12 bridge and Alpowa Creek; east on Highway 12 to Silcott Road; south and east on Silcott Road to Highway 128; southwest on Highway 128 to McGuire Gulch Road; southeast along the bottom of McGuire Gulch to Asotin Creek; east on Asotin Creek to the Snake River; north and west on the Snake River to Alpowa Creek; southwest of Alpowa Creek to the Highway 12 bridge and the point of beginning.

**Deer Area No. 1030 Republic (Ferry County):** That area within one-half mile surrounding the incorporated town of Republic.

**Deer Area No. 1035 Highway 395 Corridor (Stevens County):** That portion of GMU 121 beginning at the intersection of US Highway (Hwy) 395 (State Route 20) and State Route (SR) 25: S on SR 25 to Old Kettle Rd; E on Old Kettle Rd to Mingo Mountain Rd; S on Mingo Mountain Rd to Greenwood Loop Rd; E on Greenwood Loop Rd to the bridge over the Colville River; S on the Colville River to the bridge over Gold Creek Loop/Valley Westside Rd; W and S on Valley Westside Rd to the Orin-Rice Rd; E on Orin-Rice Rd to Haller Creek Rd; S on Haller Creek Rd to Skidmore Rd; E and S on Skidmore Rd to Arden Hill Rd; E on Arden Hill Rd to Townsend-Sackman Rd; S on Townsend-Sackman Rd to Twelve Mile Rd; S on Twelve Mile Rd to Marble Valley Basin Rd; S on Marble Valley Basin Rd to Zimmer Rd; S on Zimmer Rd to Blue Creek West Rd; E on Blue Creek West Rd to Dry Creek Rd; S on Dry Creek Rd to Duncan Rd; E on Duncan Rd to Tetro Rd; S on Tetro Rd to Heine Rd; E and S on Heine Rd to Farm-to-Market Rd; S on Farm-to-Market Rd to Newton Rd (also known as Rickers Lane); E on Newton Rd to US Hwy 395; N on US Hwy 395 to McLean Rd and Twelve Mile Rd (also known as Old Arden Hwy); N on McLean Rd and Twelve Mile Rd to US Hwy 395; N on US Hwy 395 to Old Arden Hwy (again); N on Old Arden Hwy to US Hwy 395; N on US Hwy 395, through the town of Colville, then W on US Hwy 395 (SR 20) to SR 25 and the point of beginning.

**Deer Area No. 1050 Spokane North (Spokane County):**

From the intersection of the Spokane River and the Idaho-Washington state line, N to Hauser Lake Rd, W to Starr Rd, S to Newman Lake Dr, W and N to Foothills Rd, W to Forker Rd, N and W to Hwy 206 (Mt Spokane Park Rd), N to Feehan Rd, N to Randall Rd, W to Day Mt Spokane Rd, N to Big Meadows Rd, W to Madison Rd, N to Tallman Rd, W to Elk-Chattaroy Rd, N to Laurel Rd, E to Conklin Rd, N to Nelson Rd, E to Jackson Rd, N to Oregon Rd, E to Jefferson Rd, N to Frideger Rd, W to Elk-Camden Rd, S to Boundary Rd, N and W to Dunn Rd, S to Oregon Rd, W to Hwy 2, (~~S to Eloika Lake Rd, W onto Bridges Rd, W to Sherman Rd, N to Oregon Rd, W to Whittier Rd, S to Railroad Rd, SE to~~) S on US Hwy 2 to the Deer Park-Milan Rd, W on the Deer Park-Milan Rd to US Hwy 395 at the town of Deer Park, NW on US Hwy 395 and W onto Williams Valley Rd, W and S to Hattery Rd (Owens Rd), S and E to Swenson Rd, S to Hwy 291, west to Stone Lodge Rd, west to the Spokane River, E on the Spokane River to the Idaho state border and the point of beginning.

**Deer Area No. 1060 Spokane South (Spokane County):**

That part of GMU 127 beginning at the intersection of Spokane River and Barker Rd Bridge, Barker Rd S to 24 Ave, 24 Ave W to Barker Rd, Barker Rd S to 32 Ave, 32 Ave W to Linke Rd, Linke Rd S and E to Chapman Rd, Chapman Rd S to Linke Rd, Linke Rd S to Belmont Rd, Belmont Rd W to Hwy 27, Hwy 27 S to Palouse Hwy, Palouse Hwy W to Valley Chapel Rd, Valley Chapel Rd S to Spangle Creek Rd, Spangle Creek Rd SW to Hwy 195, Hwy 195 N to I-90, I-90 E to Latah Creek at I-90-Latah Creek Bridge, Latah Creek NE to Spokane River, Spokane River E to the Barker Rd Bridge and the point of beginning.

**Deer Area No. 1070 Spokane West (Spokane County):**

That part of GMU 130 beginning at the intersection of I-90 and Latah Creek at I-90-Latah Creek Bridge, NE to Hwy 195 S on Hwy 195 S to Paradise Rd, Paradise Rd W to Smythe Road, Smythe Road NW to Anderson Rd, Anderson Rd W to Cheney Spokane Rd, Cheney Spokane Rd SW to Hwy 904/1st St in the town of Cheney, 1st SW to Salnave Rd/Hwy 902, Salnave Rd NW to Malloy Prairie Rd, Malloy Prairie Rd W to Medical Lake Tyler Rd, Medical Lake Tyler Rd N to Gray Rd, Gray Rd W then N to Fancher Rd, Fancher Rd NW to Ladd Rd, Ladd Rd N to Chase Rd, Chase Rd E to Espanola Rd, Espanola Rd N turns into Wood Rd, Wood Rd N to Coulee Hite Rd, Coulee Hite Rd E to Seven Mile Rd, Seven Mile Rd E to Spokane River, Spokane River S to Latah Creek, Latah Creek S to I-90 at the Latah Creek Bridge and the point of beginning.

**Deer Area No. 1080 Colfax (Whitman County):**

That part of GMUs 139 and 142 beginning at the intersection of Hwy 195 and Crumbaker Rd, NE on Crumbaker Rd to Brose Rd, E on Brose Rd to Glenwood Rd, S on Glenwood Rd to Hwy 272, SE on Hwy 272 to Clear Creek Rd, SE on Clear Creek Rd to Stueckle Rd, S on Stueckle Rd to Paulouse River Rd, E to Kenoyier Rd SE to Abbott Rd, S on Abbott Rd to Parvin Rd, S on Parvin Rd to McIntosh Rd, S on McIntosh Rd to 4 mile Rd/Shawnee Rd, W on Shawnee Rd to Hwy 195, N on Hwy 195 to Prune Orchard Rd, W on Prune Orchard Rd to Almota Rd, S on Almota Rd to Duncan Springs Rd, W and

NW on Duncan Springs Rd to Airport Rd, NW on Airport Rd to Fairgrounds Rd, N on Fairgrounds Rd to Endicott Rd, NNW on Endicott Rd to Morley Rd, E and S and E on Morley Rd to Hwy 295 (26), NE on Hwy 295 to West River Dr then follow Railroad Tracks NW to Manning Rd, E on Manning Rd to Green Hollow Rd, E and S on Green Hollow Rd to Bill Wilson Rd, E on Bill Wilson Rd to Hwy 195, S on Hwy 195 to Crumbaker Rd and the point of beginning.

**Deer Area No. 2010 Benge (Adams County):**

That part of GMU 284 beginning at the town of Washtucna; north on SR 261 to Weber Road; east on Weber Road to Bengel Road; north on Bengel Road to Wellsandt Road; east on Wellsandt Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to Washtucna and the point of beginning.

**Deer Area No. 2011 Lakeview (Grant County):**

That part of GMU 272 beginning at the junction of SR 28 and First Avenue in Ephrata; west on First Avenue to Sagebrush Flats Road; west on Sagebrush Flats Road to Davis Canyon Road; north on Davis Canyon Road to E Road NW; north on E Road NW to the Grant-Douglas county line; east along the county line to the point where the county line turns north; from this point continue due east to SR 17; south on SR 17 to SR 28 at Soap Lake; south on SR 28 to the junction with First Avenue in Ephrata and the point of beginning.

**Deer Area No. 2012 Methow Valley (Okanogan County):**

All private land in the Methow Watershed located outside the external boundary of the Okanogan National Forest and north of the following boundary: starting where the Libby Creek Road (County road 1049) intersects the Okanogan National Forest boundary; east on road 1049 to State Hwy 153; north on Hwy 153 to the Old Carlton Road; east on the Old Carlton Road to the Texas Creek Road (County road 1543); east on the Texas Creek Road to the Vintin Road (County road 1552); northeast on the Vintin Road to the Okanogan National Forest boundary.

**Deer Area No. 2013 North Okanogan (Okanogan County):**

Restricted to private land only located within the following boundary: Beginning in Tonasket at the junction of Havillah Road and Hwy 97; northeast on Havillah Road to Dry Gulch Extension road; north to Dry Gulch Road, north on Dry Gulch Road to Oroville-Chesaw Road; west on Oroville-Chesaw Road to Molson Road; north on Molson Road to Nine Mile road, north and west on Nine Mile Road to the Canadian border at the old Sidley Town Site; west along the border to the east shore of Lake Osoyoos; south around Lake Osoyoos to the Okanogan River; south along the east bank of the Okanogan River to the Bridge at Riverside over the Okanogan River; east on Tunk Creek Rd to Chewiliken Valley Rd; northeast along Chewiliken Valley Road to Talkire Lake Road; north on Talkire Lake Rd to Hwy 20; west on Hwy 20 to the junction of Hwy 20 and Hwy 97; north on Hwy 97 to point of beginning.

**Deer Area No. 2014 Central Okanogan (Okanogan County):** Restricted to private land only located within the following boundary: Beginning in Tonasket on the Okanogan River at the Fourth St Bridge; south along Hwy 7 to Pine Creek Road; west along Pine Creek Rd to Horse Spring Coulee Rd; north on Horse Spring Coulee Rd to Beeman Rd; west on Beeman Rd to North Lemansky Rd; south along North Lemansky Road to Pine Creek Rd; south on Pine Creek Rd to Hagood Cut-off Road; south on Hagood Cut-off Rd to South Pine Creek Rd; east on South Pine Creek Rd to Hwy 97; south on Hwy 97 to Town of Riverside North Main Street junction; southeast on North Main Street to Tunk Valley road and the Okanogan River Bridge; north along the west shore of the Okanogan River to the Tonasket Fourth Street bridge and the point of beginning.

**Deer Area No. 2015 Omak (Okanogan County):** Restricted to private land only located within the following boundary: Beginning at Hwy 97 and Riverside Cut-off road; west on Riverside Cut-off Rd to Conconully Road; south on Conconully Rd to Danker Cut-off road; west on Danker Cut-off road to Salmon Creek Rd; north on Salmon Creek Rd to Spring Coulee Rd; south on Spring Coulee Rd to B&O Road North Rd; southwest on B&O North Rd to Hwy 20; east on Hwy 20 to B&O Rd; south on B&O Rd to the Town of Malott and the bridge over the Okanogan River; north along the west bank of the Okanogan River to the Town of Riverside and the Tunk Valley road bridge; west on Tunk Valley road to State Street in Riverside; south on State Street to 2nd Street; west on 2nd Street to Hwy 97 and the point of beginning.

**Deer Area No. 2016 Conconully (Okanogan County):** Restricted to private land only located within the following boundary: Beginning at the Conconully town limit at the south edge of Town and the east shore of Conconully Reservoir; south along the east shore of the reservoir to Salmon Creek; south along the east bank of Salmon Creek to Salmon Creek road at the old Ruby Town site; south on Salmon Creek road to Green Lake road; northeast on Green Lake road to Conconully road; north on Conconully road to the south limit of the Town of Conconully and the point of beginning.

**Deer Area No. 3071 Whitcomb (Benton County):** That part of GMU 373 made up by the Whitcomb Unit of the Umatilla National Wildlife Refuge.

**Deer Area No. 3072 Paterson (Benton County):** That part of GMU 373 made up by the Paterson Unit of the Umatilla National Wildlife Refuge.

**Deer Area No. 3088 High Prairie (Klickitat County):** That portion of GMU 388 (Grayback) that is south of SR 142.

**Deer Area No. 3682 Ahtanum (Yakima County):** That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Moun-

tain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Hwy 12. Northeast on Hwy 12 to the Naches River. Southeast down the Naches River to Cowiche Creek. West up Cowiche Creek and the South Fork Cowiche Creek to Summitview Ave. Northwest on Summitview Ave to Cowiche Mill Road. West on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13. Southeast along the power line to Ahtanum Creek and the point of beginning.

**Deer Area No. 4004 (San Juan County):** That part of GMU 410 made up of Shaw Island.

**Deer Area No. 4005 (San Juan County):** That part of GMU 410 made up of Lopez Island.

**Deer Area No. 4006 (San Juan County):** That part of GMU 410 made up of Orcas Island.

**Deer Area No. 4007 (San Juan County):** That part of GMU 410 made up of Decatur Island.

**Deer Area No. 4008 (San Juan County):** That part of GMU 410 made up of Blakely Island.

**Deer Area No. 4009 (Skagit County):** That part of GMU 410 made up of Cypress Island.

**Deer Area No. 4010 (San Juan County):** That part of GMU 410 made up of San Juan Island.

**Deer Area No. 4011 (Island County):** That part of GMU 410 made up of Camano Island.

**Deer Area No. 4012 (Island County):** That part of GMU 410 made up of Whidbey Island.

**Deer Area No. 4013 (King County):** That part of GMU 454 made up of Vashon and Maury islands.

**Deer Area No. 4926 Guemes (Skagit County):** That part of GMU 407 (North Sound) on Guemes Island.

**Deer Area No. 5064:** That part of GMU 564 in the Columbia River near the mouth of the Cowlitz River made up of Cottonwood Island and Howard Island.

**Deer Area No. 6014 (Pierce County):** That part of GMU 652 made up of Anderson Island.

**Deer Area No. 6020:** Dungeness-Miller Peninsula (Clallam and Jefferson counties): That part of GMU 624 west of Discovery Bay and Salmon Creek.

~~**(Deer Area No. 4926 Guemes (Skagit County):** That part of GMU 407 (North Sound) on Guemes Island.~~

~~**Deer Area No. 3088 High Prairie (Klickitat County):** That portion of GMU 388 (Grayback) that is south of SR 142.~~

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-342 2009-10, 2010-11, 2011-12 Small game seasons.**

**STATEWIDE SEASONS:**

**FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)**

Bag and Possession Limits: Four (4) grouse per day, straight or mixed bag, with a total of twelve (12) grouse in possession at any time.

SEASON DATES: Sept. 1 - Dec. 31, 2009, 2010, 2011.

**BOBCAT**

Bag and Possession Limits: No limit.

SEASON DATES: Sept. 1 - Mar. 15, 2009, 2010, 2011, 2012.

RESTRICTION: Bobcat may not be hunted with dogs.

**RACCOON**

Bag and Possession Limits: No limit.

OPEN AREA: Statewide, EXCEPT closed on Long Island within Willapa National Wildlife Refuge.

SEASON DATES: Sept. 1 - Mar. 15, 2009, 2010, 2011, 2012.

**FOX**

Bag and Possession Limits: No limit.

OPEN AREA: Statewide EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407 and 410.

SEASON DATES: Sept. 1 - Mar. 15, 2009, 2010, 2011, 2012.

**COYOTE**

Bag and Possession Limits: No limit.

OPEN AREA : Statewide.

SEASON DATES: Year round.

RESTRICTION: Coyote may not be hunted with dogs.

**COTTONTAIL RABBIT AND SNOWSHOE HARE (OR WASHINGTON HARE)**

Bag and Possession Limits: Five (5) cottontails or snowshoe hares per day, with a total of fifteen (15) in possession at any time, straight or mixed bag.

SEASON DATES: Sept. 1, 2009 - Mar. 15, 2010; Sept. 1, 2010 - Mar. 15, 2011; Sept. 1, 2011 - Mar. 15, 2012.

**CROWS**

Bag and Possession Limits: No limit.

SEASON DATES: Oct. 1, 2009 - Jan. 31, 2010; Oct. 1, 2010 - Jan. 31, 2011; Oct. 1, 2011 - Jan. 31, 2012.

**JACKRABBIT**

Season closed statewide.

**PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE**

Season closed statewide.

**WILD TURKEY:**

**YOUTH SEASON**

LEGAL BIRD: Male turkeys and turkeys with visible beards only.

SEASON DATES: April 3-4, 2010; April 2-3, 2011; April 7-8, 2012.

**SPRING SEASON**

LEGAL BIRD: Male turkeys and turkeys with visible beards only.

SEASON DATES: April 15 - May 31, 2009, 2010, 2011, 2012.

BAG LIMIT: The combined spring/youth season limit is three (3) birds. Only two (2) turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties. One (1) turkey may be killed per year in Western Washington outside of Klickitat County. Two (2) turkeys may be killed in Klickitat County.

**FALL NORTHEAST BEARDLESS TURKEY SEASON**

LEGAL BIRD: Beardless only.

LEGAL HUNTER: Open to all hunters with a valid turkey tag.

OPEN AREA: GMUs 105-124.

SEASON DATES: Sept. 26 - Oct. 9, 2009; Sept. 25 - Oct. 8, 2010; Sept. 24 - Oct. 7, 2011.

BAG LIMIT: Two (2) beardless turkeys.

**EARLY FALL GENERAL SEASON**

LEGAL BIRD: Either sex.

LEGAL HUNTER: Open to all hunters with a valid turkey tag.

OPEN AREA: GMUs 101 ((and)), 127-133, 145-154, and 162-186.

SEASON DATES: Sept. 26 - Oct. 9, 2009; Sept. 25 - Oct. 8, 2010; Sept. 24 - Oct. 7, 2011.

BAG LIMIT: One (1) turkey during the early fall general and permit hunting seasons combined.

**FALL PERMIT SEASONS**

LEGAL BIRD: Either sex.

LEGAL HUNTER: All hunters who are selected in the fall turkey special permit drawing and who possess a valid turkey tag.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	Bag Limit*
<del>((Blue Mt. West</del>	<del>Sept. 26 – Oct. 9, 2009, Sept. 25 – Oct. 8, 2010, Sept. 24 – Oct. 7, 2011</del>	Either sex	<del>GMUs 149-163</del>	400	±
<del>Blue Mt. East</del>	<del>Sept. 26 – Oct. 9, 2009, Sept. 25 – Oct. 8, 2010, Sept. 24 – Oct. 7, 2011</del>	Either sex	<del>GMUs 145, 172-186</del>	300	±))
Klickitat	Sept. 26 - Oct. 9, 2009, Sept. 25 - Oct. 8, 2010, Sept. 24 - Oct. 7, 2011	Either sex	GMUs 382, 388, 568-578	150	1
Methow	Nov. 15 - Dec. 15, 2009, 2010, 2011	Either sex	GMUs 218-231 and 242	50	1

\*BAG LIMIT: During the early fall general and permit hunting seasons combined.

**LATE FALL SEASON**

LEGAL BIRD: Either sex.

LEGAL HUNTER: Open to all hunters with a valid turkey tag.

OPEN AREA: GMUs 105-124.

SEASON DATES: Nov. 20 - Dec. 15, 2009, 2010, 2011.

BAG LIMIT: One (1) turkey.

**HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS**

LEGAL BIRD: Male turkeys and turkeys with visible beards only.

LEGAL HUNTER: Qualified hunter education instructors who are selected through a random drawing. Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing. Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.

OPEN AREA: Statewide.

SEASON DATES: April 1 - May 31, 2009, 2010, 2011, 2012.

PERMITS: 2.

**OFFICIAL HUNTING HOURS FOR WILD TURKEY:**

HUNTING HOURS: One-half hour before sunrise to sunset during spring and fall seasons.

**SPECIAL REGULATIONS FOR WILD TURKEY:**

1. Turkey season is open for shotgun shooting #4 shot or smaller, archery, and muzzleloader shotgun shooting #4 shot or smaller.
2. A turkey tag is required for hunting turkey.
3. It is unlawful to use dogs to hunt turkeys.
4. It is unlawful to bait game birds.

**EASTERN WASHINGTON SEASONS:**

**RING-NECKED PHEASANT**

Bag and Possession Limits: Three (3) cock pheasants per day, with a total of fifteen (15) cock pheasants in possession at any time.

YOUTH SEASON DATES: Sept. 26 and 27, 2009; Sept. 25 and 26, 2010; Sept. 24 and 25, 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. 24, 2009 - Jan. 18, 2010; Oct. 23, 2010 - Jan. 17, 2011; Oct. 22, 2011 - Jan. 16, 2012.

The director is authorized to close the pheasant season on an emergency basis as conditions warrant, consistent with RCW 34.05.350 and 77.12.150.

**CHUKAR**

Bag and Possession Limits: Six (6) chukar per day, with a total of eighteen (18) chukar in possession at any time.

YOUTH SEASON DATES: Sept. 26 and 27, 2009; Sept. 25 and 26, 2010; Sept. 24 and 25, 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. 3, 2009 - Jan. 18, 2010; Oct. 2, 2010 - Jan. 17, 2011; Oct. 1, 2011 - Jan. 16, 2012.

**GRAY (HUNGARIAN) PARTRIDGE**

Bag and Possession Limits: Six (6) gray partridges per day, with a total of eighteen (18) gray partridges in possession at any time.

YOUTH SEASON DATES: Sept. 26 and 27, 2009; Sept. 25 and 26, 2010; Sept. 24 and 25, 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. 3, 2009 - Jan. 18, 2010; Oct. 2, 2010 - Jan. 17, 2011; Oct. 2, 2011 - Jan. 16, 2012.

**MOUNTAIN QUAIL**

Season closed throughout Eastern Washington.

**CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**

Bag and Possession Limits: Ten (10) quail per day, with a total of thirty (30) quail in possession at any time, straight or mixed bag.

YOUTH SEASON DATES: Sept. 26 and 27, 2009; Sept. 25 and 26, 2010; Sept. 24 and 25, 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. 3, 2009 - Jan. 18, 2010; Oct. 2, 2010 - Jan. 17, 2011; Oct. 2, 2011 - Jan. 16, 2012.

**WESTERN WASHINGTON SEASONS:****RING-NECKED PHEASANT**

Bag and Possession Limits: Two (2) pheasants of either sex per day, with a total of fifteen (15) pheasants in possession at any time.

YOUTH SEASON DATES: Sept. 26 and 27, 2009; Sept. 25 and 26, 2010; Sept. 24 and 25, 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER SEASON DATES: Sept. 28 - Oct. 2, 2009; Sept. 27 - Oct. 1, 2010; Sept. 26-30, 2011.

REGULAR SEASON DATES: Oct. 3 - Nov. 30, 2009; Oct. 2 - Nov. 30, 2010; Oct. 1 - Nov. 30, 2011. 8 a.m. to 4 p.m.; EXCEPT Dungeness Recreation Area Site (Clallam County) starting Oct. 3, 2009; Oct. 2, 2010; Oct. 1, 2011.

EXTENDED SEASON DATES: Dec. 1-15, 2009, 2010, 2011. 8 a.m. to 4 p.m. only on the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview. Pheasants will not be released during the extended season.

A Western Washington Pheasant Permit is required to hunt pheasant in Western Washington, in addition to a current small game hunting license. Pheasant kills must be recorded. Upon taking a pheasant, the holder of a Western Washington Pheasant Permit must immediately enter on the corresponding space the date and location of kill.

There are three license options available:

- (1) Full Season Option: Allows the harvest of eight (8) pheasants.
- (2) Youth Option: Allows the harvest of eight (8) pheasants by youth hunters.
- (3) 3-Day Option: Allows the harvest of four (4) pheasants harvested over three consecutive days.

Every person possessing a Western Washington Pheasant Permit must, by December 31, return the permit to the department of fish and wildlife. The number of permits purchased per year is not limited.

A hunter shall select one valid option at the time they purchase their Western Washington Pheasant Permit. It is unlawful to purchase an additional permit until the pheasants allowed on the current permit are taken.

SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt on either odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, all hunting sites on Whidbey Island, and at the Dungeness Recreation Area, and must indicate their choice on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the three day option, hunters 65 years of age or older, and youth hunters may hunt during either weekend day morning. Youth hunters must be accompanied by an adult at least 18 years old who must have an appropriately marked pheasant permit if hunting.

**MOUNTAIN QUAIL**

Bag and Possession Limits: Two (2) mountain quail per day, with a total of four (4) mountain quail in possession at any time.

SEASON DATES: Oct. 3 - Nov. 30, 2009; Oct. 2 - Nov. 30, 2010; Oct. 1 - Nov. 30, 2011.

**CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**

Bag and Possession Limits: Ten (10) California (valley) quail or northern bobwhite per day, with a total of thirty (30) California (valley) quail or northern bobwhite in possession at any time, straight or mixed bag.

SEASON DATES: Oct. 3 - Nov. 30, 2009; Oct. 2 - Nov. 30, 2010; Oct. 1 - Nov. 30, 2011.

**FALCONRY SEASONS:****UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY**

Bag and Possession Limits: Two (2) pheasants (either sex), six (6) partridge, five (5) California (valley) quail or northern bobwhite, two (2) mountain quail (in Western Washington only), and three (3) forest grouse (blue, ruffed, spruce) per day. Possession limit is twice the daily bag limit.

OPEN AREA: Statewide.

SEASON DATES: Aug. 1, 2009 - Mar. 15, 2010; Aug. 1, 2010 - Mar. 15, 2011; Aug. 1, 2011 - Mar. 15, 2012.

**TURKEY - FALCONRY**

A turkey tag is required to hunt turkey during the turkey falconry season.

Bag and Possession Limits: One (1) turkey (either sex) per turkey tag with a maximum of two (2) turkeys. Possession limit: Two (2).

OPEN AREA: Eastern Washington.

SEASON DATES: Sept. 1, 2009 - Feb. 15, 2010; Sept. 1, 2010 - Feb. 15, 2011; Sept. 1, 2011 - Feb. 15, 2012.

**MOURNING DOVE - FALCONRY**

Bag and Possession Limits: Three (3) mourning doves per day straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons. Possession limit is twice the daily limit.

OPEN AREA: Statewide.

SEASON DATES: Sept. 1 - Dec. 16, 2009, 2010, 2011.

**COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY**

Bag and Possession Limits: Five (5) cottontails or snowshoe hares per day, straight or mixed bag. Possession limit: Fifteen (15).

OPEN AREA: Statewide.

SEASON DATES: Aug. 1, 2009 - Mar. 15, 2010; Aug. 1, 2010 - Mar. 15, 2011; Aug. 1, 2011 - Mar. 15, 2012.

**OTHER SEASONS:**

**CANADA GOOSE SEPTEMBER SEASON**

Bag and Possession Limits: Western Washington, except Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: Five (5) Canada geese per day with a total of ten (10) in possession at any time.

Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: Three (3) Canada geese per day with a total of six (6) in possession at any time.

WESTERN WASHINGTON SEASON DATES: Sept. 10-15, 2009, 2010, 2011. EXCEPT Pacific County: Sept. 1-15, 2009, 2010, and 2011.

**MOURNING DOVE**

Bag and Possession Limits: Ten (10) mourning doves per day with a total of twenty (20) mourning doves in possession at any time.

OPEN AREA: Statewide.

SEASON DATES: Sept. 1-30, 2009, 2010, 2011.

**HIP REQUIREMENTS:**

All hunters age 16 and over of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) are required to complete a Harvest Information Program (HIP) survey at a license dealer, and possess a Washington Migratory Bird validation as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HIP survey, and possess a free Washington Youth Migratory Bird validation as evidence of compliance with this requirement when hunting migratory game birds.

**BAND-TAILED PIGEON**

Bag and Possession Limits: Two (2) band-tailed pigeons per day with a total of four (4) band-tailed pigeons in possession at one time.

OPEN AREA: Statewide.

SEASON DATES: Sept. 15-23, 2009, 2010, 2011.

**WRITTEN AUTHORIZATION REQUIRED TO HUNT BAND-TAILED PIGEONS.**

All persons hunting band-tailed pigeons in this season are required to obtain a written authorization and harvest report

from the Washington department of fish and wildlife. Application forms must be delivered to a department of fish and wildlife office no later than August 25 or postmarked on or before August 25 in order for applicants to be mailed an authorization before the season starts. Immediately after taking a band-tailed pigeon into possession, hunters must record in ink the information required on the harvest report. By October 15, hunters must return the harvest report to a department of fish and wildlife office, or report harvest information on the department's internet reporting system. Hunters failing to comply with reporting requirements will be ineligible to participate in the following band-tailed pigeon season.

**BIRD DOG TRAINING SEASON**

Wild upland game birds may be pursued during the dog-training season, but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A small game license and a Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if proof of lawful acquisition (invoices) are in possession and the birds are appropriately marked (WAC 232-12-271 and 232-12-044).

OPEN AREA: Statewide.

SEASON DATES: Aug. 1, 2009 - Mar. 31, 2010; Aug. 1, 2010 - Mar. 31, 2011; Aug. 1, 2011 - Mar. 31, 2012.

Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

Bird dog training may be conducted year round on areas posted for bird dog training on portions of: Region One - Espanola (T24N, R40E, E 1/2 of section 16); Region Three - South L. T. Murray Wildlife Area; Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area; Region Five - Shillapoo/Vancouver Lake Wildlife Area; Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

**HOUND HUNTING DURING DEER AND ELK HUNTING SEASONS**

It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a modern firearm deer or elk season. The use of hounds to hunt black bear, cougar (EXCEPT by public safety cougar removal permit (WAC 232-12-243) or a commission authorized hound permit (WAC 232-28-285)), coyote, and bobcat is prohibited year round.

**YAKAMA INDIAN RESERVATION:**

The 2009-10, 2010-11, 2011-12 upland bird seasons within the Yakama Indian Reservation shall be the same as the season established by the Yakama Indian Nation.

**COLVILLE INDIAN RESERVATION:**

The 2009-10, 2010-11, 2011-12 upland bird seasons within the Colville Indian Reservation shall be the same as the season established by the Colville Indian Tribe.



AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-351 2009-2011 Deer general seasons and definitions.**

**Bag Limit:** One (1) deer per hunter during the license year except where otherwise permitted by Fish and Wildlife Commission rule.

**Hunting Method:** Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

**Any Buck Deer Seasons:** Open only to the taking of deer with visible antlers (buck fawns illegal).

**Antler Point:** To qualify as an antler point, the point must be at least one inch long measured on the longest side.

**Antler Restrictions:** APPLIES TO ALL HUNTERS DURING ANY GENERAL SEASON AND DESIGNATED SPECIAL PERMIT SEASONS. Buck deer taken in antler restricted GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Eye guards are antler points when they are at least one inch long.

**2 Point minimum GMUs:** 437, 636, 654, and 681.

**3 Point minimum GMUs:** All mule deer in 100, 200, and 300 series GMUs; white-tailed deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186, and black-tailed deer in GMU 578.

**Permit Only Units:** The following GMUs require a special permit to hunt deer: 290 (Desert), 329 (Quilomene), 371 (Alkali), and 485 (Green River).

**GMUs Closed to Deer Hunting:** 157 (Mill Creek Watershed)(~~490 (Cedar River);~~) and 522 (Loo-wit).

**Black-tailed Deer:** Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found west of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to the Klickitat River; south down Klickitat River to the Columbia River.

**Mule Deer:** Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found east of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to the Klickitat River; south down Klickitat River to the Columbia River.

**White-tailed Deer:** Means any white-tailed deer (member of the species *Odocoileus virginianus*) except the Columbian whitetail deer (species *Odocoileus virginianus leucurus*).

**MODERN FIREARM DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** Valid modern firearm deer tag on his/her person for the area hunted.

**Hunting Method:** Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

Hunt Season	2009 Dates	2010 Dates	2011 Dates	Game Management Units (GMUs)	Legal Deer
<b>HIGH BUCK HUNTS</b>					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.
<b>GENERAL SEASON</b>					
<b>Western Washington Black-tailed Deer</b>	Oct. 17-31	Oct. 16-31	Oct. 15-31	407, 418, 426, 448 through 466, 490, 501 through 520, 524 through 556, 560, 568, 572, 574, 601 through 633, 638 through 653, 658 through 673, 684	Any buck
				GMUs 410, 564, Deer Areas 4013, 4926, 6014, and 6020	Any deer
				578	3 pt. min.
				437, 636, 654, 681	2 pt. min.
<b>Eastern Washington White-tailed Deer</b>	Oct. 17-30	Oct. 16-29	Oct. 15-28	101 through 124	Any white-tailed buck
	Oct. 17-25	Oct. 16-24	Oct. 15-23	203 through 284, 328, 330 through 368, 372	Any white-tailed buck
	Oct. 17-25	Oct. 16-24	Oct. 15-23	127 through 154, 162 through 186 379, 381	White-tailed, 3 pt. min. Any white-tailed deer
<b>Eastern Washington Mule Deer</b>	Oct. 17-25	Oct. 16-24	Oct. 15-23	101 through 154, 162 through 186, 203 through 284, 328, 330 through 368, 372, 379, 381	Mule deer, 3 pt. min.
	Oct. 17-30	Oct. 16-29	Oct. 15-28	373, 382, 388	Mule deer, 3 pt. min.
<b>LATE GENERAL SEASON</b>					
<b>Western Washington Black-tailed Deer</b>	Nov. 19-22	Nov. 18-21	Nov. 17-20	407, 410, 454, 466, 501 through 520, 524 through 560, 568 through 578, 601 through 633, 638 through 653, 658 through 673, 684 and 699	Any buck
				636, 654, 681	2 pt. min.

Hunt Season	2009 Dates	2010 Dates	2011 Dates	Game Management Units (GMUs)	Legal Deer
	Nov. 19-22	Nov. 18-21	Nov. 17-20	GMUs 410 and 564, Deer Areas 4013, 4926, 6014, 6020	Any deer
<b>Eastern Washington White-tailed Deer</b>	Nov. 7-19	Nov. 6-19	Nov. 5-19	105 through 124	Any white-tailed buck
<b>HUNTERS 65 AND OVER, DISABLED, OR YOUTH GENERAL SEASONS</b>					
<b>Eastern Washington White-tailed Deer</b>	Oct. 17-30	Oct. 16-29	Oct. 15-28	101 through 124	Any white-tailed deer
	Oct. 17-25	Oct. 16-24	Oct. 15-23	127 through 142, 145, 154, Deer Area 1010, and 172 through 178	White-tailed, 3 pt. min. or antlerless
<b>MASTER HUNTER SEASON</b>					
<b>Eastern Washington White-tailed Deer</b>	Dec. 9-15	Dec. 9-15	Dec. 9-15	GMUs 130-142	White-tailed, antlerless only

ARCHERY DEER SEASONS

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** Valid archery deer tag on his/her person for the area hunted.

**Special Notes:** Archery tag holders can only hunt during archery seasons with archery equipment (WAC 232-12-054).

Hunt Area	2009 Dates	2010 Dates	2011 Dates	Game Management Units (GMUs)	Legal Deer
<b>Early Archery General Deer Seasons</b>					
<b>Western Washington Black-tailed Deer</b>	Sept. 1-25	Sept. 1-24	Sept. 1-23	407 through 426, 448, 450, 454, 466, 501, 504, 505, 510, 513, 520, 554, 564, 568, 572, ((601-)) 603, ((615-)) 621 through 633, 642 through 652, 658 through 672, 684 and 699	Any deer
				460, 503, 574, 601, 615, 673	Any buck
				437, 654, 681	2 pt. min. or antlerless
				578	3 pt. min.
	Sept. 1-20	Sept. 1-19	Sept. 1-18	516, 524, 556, 560, ((602-607, 612, 618-)) 636, 638, 653	Any deer
			506, 530, 550, 602, 607, 612, 618	Any buck	
<b>Eastern Washington Mule Deer</b>	Sept. 1-25	Sept. 1-24	Sept. 1-23	105 through 127, 145, 162, 163, 166, 169, 243, 334	3 pt. min.
				142, 175 through 181, 186, Deer Area 1010, 244 through 247, 249, 250, 260, 372, 373, 379, 381, 388	3 pt. min. or antlerless
	Sept. 1-20	Sept. 1-19	Sept. 1-18	149, 154, 162, 166, 169, 172, 251, 328, 335, 336, 340, 342, 346, 352, 356, 360, 364, 368	3 pt. min.
	Sept. 1-15	Sept. 1-15	Sept. 1-15	101, 130 through 139, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284, 382	3 pt. min.
	Sept. 16-25	Sept. 16-24	Sept. 16-23	101, 130 through 139, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284, 382	3 pt. min. or antlerless
	Sept. 1-24	Sept. 1-23	101 through 124	Any white-tailed buck	
<b>Eastern Washington White-tailed Deer</b>	Sept. 1-25	Sept. 1-24	Sept. 1-23	((401 through 124-)) 204 through 250, 254 through 284, 373, 379, 381	Any white-tailed deer
	Sept. 1-25	Sept. 1-24	Sept. 1-23	127 through 145, 162, 163, 166, 169, 175, 178, 181, 186	White-tailed, 3 pt. min. or antlerless
	Sept. 1-20	Sept. 1-19	Sept. 1-18	154, ((162-166, 169-)) 172	White-tailed, 3 pt. min. or antlerless
	Sept. 1-20	Sept. 1-19	Sept. 1-18	149	White-tailed, 3 pt. min.
<b>Late Archery General Deer Seasons</b>					
<b>Western Washington Black-tailed Deer</b>	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	437, 636, 654, 681	2 pt. min. or antlerless
	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	466, 510 through 520, 524, 556, ((601-607- through 618-)) 638, 648, and 699	Any deer
	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	460, 506, 530, 560, 572, 601, 607 through 618	Any buck
		Nov. 24 - Dec. 31	Nov. 23 - Dec. 31	624, 652	Any buck
	Nov. 25 - Dec. 31	Nov. 24 - Dec. 31	Nov. 23 - Dec. 31	407, 410, 454, 505, 564, 603, ((624-)) 627, 642, ((652-)) 660 through 672	Any deer

Hunt Area	2009 Dates	2010 Dates	2011 Dates	Game Management Units (GMUs)	Legal Deer
<b>Eastern Washington Mule Deer</b>	Nov. 21-30	Nov. 21-30	Nov. 21-30	209, 215, 233, 243, 250	3 pt. min.
	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	346, 352, 364, 388, Deer Area 3682	3 pt. min.
				145, 163, 178	3 pt. min. or antlerless
				272, 278, 373	3 pt. min. or antlerless
	Dec. 2-8	Dec. 2-8	Dec. 2-8	133, 136	Antlerless <u>only</u>
Dec. 9-31	Dec. 9-31	Dec. 9-31	Deer Area 1021	Antlerless <u>only</u>	
<b>Eastern Washington White-tailed Deer</b>	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	101	Any white-tailed deer
	Nov. 25 - Dec. 15	Nov. ((24)) <u>25</u> - Dec. 15	Nov. 23 - Dec. 15	105, 108, 117, 121, 124	Any white-tailed deer
				127	White-tailed, 3 pt. min. or antlerless ((white-tailed deer))
	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	145, 163, 178	White-tailed, 3 pt. min. or antlerless ((white-tailed deer))
	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	204, 209, 215, 233, <u>243</u> , 272, 278, 373	Any white-tailed deer
Dec. 2-8	Dec. 2-8	Dec. 2-8	133, 136	Antlerless <u>only</u>	

**MUZZLELOADER DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** Valid muzzleloader deer tag on his/her person for the area hunted.

**Hunting Method:** Muzzleloader only.

**Special Notes:** Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment.

Hunt Area	2009 Dates	2010 Dates	2011 Dates	Game Management Units (GMUs)	Legal Deer
<b>High Buck Hunts</b>	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness areas, and Lake Chelan Recreation Area	3 pt. min.
<b>Early Muzzleloader General Deer Seasons</b>					
<b>Western Washington Black-tailed Deer</b>	Sept. 26 - Oct. 4	Sept. 25 - Oct. 3	Sept. 24 - Oct. 2	407, 418, 426, 448, 450, 501, 504, 505, 506, 510, 513, 516, 520, 530, 554, 556, 568, 572, 574, 603, 607, 612, 615, 624, 636, 638, 642, 648, 660, 663, 672, 673, 684	Any buck
				410, 454, 564, 627, 652, 666, Deer Areas 4926 and 6020	Any deer
				437	2 pt. min.
				578	3 pt. min.
<b>Eastern Washington White-tailed Deer</b>	Sept. 26 - Oct. 4	Sept. 25 - Oct. 3	Sept. 24 - Oct. 2	<u>101 through 124</u> , 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 260, 278, 284	White-tailed, any buck
				142	White-tailed, 3 pt. min. or antlerless
				133, 136, 145, 149, 175, 181, 186	White-tailed, 3 pt. min.
				(( <del>101 through 124</del> )) 373, 379	White-tailed, any deer
<b>Eastern Washington Mule Deer</b>	Sept. 26 - Oct. 4	Sept. 25 - Oct. 3	Sept. 24 - Oct. 2	101 through 124, 133, 136, 142, 145, 149, 175, 181, 186, 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 254, 260, 262, 266, 269, 272, 284, 328, 330 through 342, 352 through 360, 368, 373, 382	Mule deer, 3 pt. min.
				278, 379	Mule deer, 3 pt. min. or antlerless
<b>Late Muzzleloader General Deer Seasons</b>					
<b>Western Washington Black-tailed Deer</b>	Nov. 26 - Dec. 15	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	407, 410, 501, 504, 564, 633, 666, 684, and Deer Areas 4926 and 6020	Any deer
				654	2 pt. min.
				460, 550, 602, 658	Any buck
	Nov. 26 - Dec. 6	Nov. ((26)) <u>25</u> - Dec. 6	Nov. 24 - Dec. 6	651, 667, 673	Any buck
Dec. 7-15	Dec. 7-15	Dec. 7-15	651, 673	Any deer	

Hunt Area	2009 Dates	2010 Dates	2011 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington White-tailed Deer	Nov. 26 - Dec. 8	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	113	Any white-tailed ((deer)) buck
				172, 181	White-tailed, 3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	379	Any white-tailed deer
	Nov. 25 - Dec. 1	Nov. 24 - Dec. 1	Nov. 23 - Dec. 1	130, 133, 136, 139	White-tailed, 3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	381	Any white-tailed deer
Eastern Washington Mule Deer	Nov. 20-30	Nov. 20-30	Nov. 20-30	382	3 pt. min.
	Nov. 25 - Dec. 1	Nov. 24 - Dec. 1	Nov. 23 - Dec. 1	130	Antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	381	3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	379	3 pt. min.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

**WAC 232-28-352 2009-2011 Elk general seasons and definitions.**

**Bag Limit:** One (1) elk per hunter during the license year except where otherwise permitted by fish and wildlife commission rule. Any combination of seasons, tags, and permits set by the fish and wildlife commission will not exceed a maximum of two (2) elk per hunter during the license year.

**Hunting Method:** Elk hunters must select only one of the hunting methods (modern firearm, archery, or muzzleloader).

**Elk Tag Areas:** Elk hunters must choose either Eastern or Western Washington to hunt in and buy the appropriate tag for that area.

**Any Bull Elk Seasons:** Open only to the taking of elk with visible antlers (bull calves are illegal).

**Antler Point:** To qualify as an antler point, the point must be at least one inch long measured on the longest side.

**Branch:** A branch is defined as any projection off the main antler beam that is at least one inch long, measured on the longest side, and longer than it is wide.

**Spike Bull Antler Restrictions:** Bull elk taken in spike only GMUs must have at least one antler with no branches originating more than four inches above where the antler attaches to the skull.

**Spike Only GMUs:** 145-154, 162-186, 249, and 336-368.

**True Spike—Bull Antler Restrictions:** Bull elk taken in these units must have both antlers with no branching originating more than four inches above where the antlers attach to the skull. Under the true spike restriction, the taking of an elk that has two points on one side or has antler points within one inch of the definitions regarding length of point, or point of origination is an infraction under RCW 7.84.030. All other types of violations of the true spike restriction are subject to current penalties and assessments.

**True Spike GMUs:** 251, 328-335.

**3 Point Antler Restrictions:** Legal bull elk must have at least 3 antler points on one side with at least 2 antler points above the ear. Eye guards are antler points when they are at

least one inch long. Antler restrictions apply to all hunters during any open season.

**3 Point GMUs:** All of Western Washington except for GMUs 454, 564, 568, 574, 578, 652 for archers, 666, 684, and Elk Area 4941.

**Permit Only Units:** The following GMUs are closed during general seasons: 157, 371, 418, 485, 522, 524, 556, 621, 636, 653, and Elk Area 3068.

**GMUs Closed to Elk Hunting:** 437 (except for Elk Area 4941) (~~and 490~~).

**Elk Tag Areas**

**Eastern Washington:** All 100, 200, and 300 GMUs except permit only for all hunters in GMUs 157 and 371. Modern firearms are restricted in GMU 334.

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

**Western Washington:** All 400, 500, and 600 GMUs except closed in GMU 437 (except for Elk Area 4941), 490, and modern firearm restrictions in portions of GMU 660. GMU 554 is open only for early archery and muzzleloader seasons. Elk Area 6064 in GMU 638 (Quinalt) is open to master hunters only. Elk hunting by permit only in GMUs 418, 485, 522, 524, 556, 621, and 636.

WA - Western Washington Archery Tag

WF - Western Washington Modern Firearm General Elk Tag

WM - Western Washington Muzzleloader Tag

**Modern Firearm General Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** Valid modern firearm elk tag as listed below on his/her person for the area hunted.

**Hunting Method:** May use modern firearm, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2009 Dates	2010 Dates	2011 Dates	Legal Elk
Eastern Washington	EF	111, 113, 117	Oct. 31 - Nov. 8	Oct. 30 - Nov. 7	Oct. 29 - Nov. 6	Any bull
		145 through 154, 162 through 186, 249, 336 through 368	Oct. 31 - Nov. 8	Oct. 30 - Nov. 7	Oct. 29 - Nov. 6	Spike bull
		251, 328, 329, ((330,)) 334, 335	Oct. 31 - Nov. 8	Oct. 30 - Nov. 7	Oct. 29 - Nov. 6	True spike bull
		Elk Area 3722*	Sept. 9-22	Sept. 8-21	Sept. 6-19	Antlerless <u>only</u>
		101, 105, 108, 121, 124 through 142, 372, 382, 388	Oct. 31 - Nov. 8	Oct. 30 - Nov. 7	Oct. 29 - Nov. 6	Any elk
		<u>Master Hunters Only:</u> 127-142 (( <u>master hunters only</u> ))	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381	Oct. 31 - Nov. 15	Oct. 30 - Nov. 15	Oct. 29 - Nov. 15	Any elk
		Elk Area 2033	Sept. 8 - Oct. 2	Sept. 7 - Oct. 1	Sept. 6-30	Antlerless only
		<u>Master Hunters Only:</u> 371, Elk Area((s-3911 and)) 3912 (( <u>master hunters only</u> ))	Aug. 1 - Jan. 20, 2010	Aug. 1 - Jan. 20, 2011	Aug. 1 - Jan. 20, 2012	Antlerless only
		<u>Master Hunters Only:</u> Elk Area 3911**		<u>Aug. 1 - Dec. 31</u>	<u>Aug. 1 - Dec. 31</u>	<u>Antlerless only</u>
		<u>Master Hunters Only:</u> Elk Area 3911** (( <u>master hunters only</u> )) 2nd tag.	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Aug. 1 - Oct. 23	Antlerless only
<p>*GMU 372 and Elk Area 3722 are mainly private property, hunters are not advised to try hunting these areas without making prior arrangements for access.</p> <p>**Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. <u>Only one (1) elk may be taken from Elk Area 3911.</u> Any legal weapon may be used. Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 25, 2009, August 1 - October 24, 2010, and August 1 - October 23, 2011. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.</p>						
Western Washington	WF	407, 448, 460, 466, 490, 503, 505 through 520, 530, 550, 560, 568, 572, 574, 578, 601 through 618, 624 (except for Elk Area 6071), 627 through 633, 638 through 652, 654 through 684. Except master hunters only in Elk Area 6064.	Nov. 7-17	Nov. 6-16	Nov. 5-15	3 pt. min.
		501, 504	Nov. 7-17	Nov. 6-16	Nov. 5-15	3 pt. min. or antlerless
		564, ((568, 574 through 578,)) 666	Nov. 7-17	Nov. 6-16	Nov. 5-15	Any elk
		454	Nov. 7-17	Nov. 6-16	Nov. 5-15	Any bull

**Archery General Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** Valid archery elk tag as listed below on his/her person for the area hunted.

**Hunting Method:** Bow and arrow only as defined by WAC 232-12-054.

**Special Notes:** Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 232-12-054). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2009 Dates	2010 Dates	2011 Dates	Legal Elk
<b>Early Archery General Elk Seasons</b>						
Eastern Washington	EA	101 through 142, 243, 247, 249, 250, 373, 379, 381, 388	Sept. 8- 20	Sept. 7-19	Sept. 6-18	Any elk

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2009 Dates	2010 Dates	2011 Dates	Legal Elk
		((445;)) 162, 166 through 172, ((481;)) 186, 352, 356	Sept. 8- 20	Sept. 7-19	Sept. 6-18	Spike bull
		328, 329, 335	Sept. 8-20	Sept. 7-19	Sept. 6-18	True spike bull
		145, 149, 154, Elk Area 1010, Elk Area 1013, 163, 175, 178, ((330;)) 181, 334, 336, 340, ((352, 356;)) 346, 364	Sept. 8- 20	Sept. 7-19	Sept. 6-18	Spike bull or antlerless
Western Washington	WA	454, 564, ((568, 574, 578;)) 652, 666	Sept. 8- 20	Sept. 7-19	Sept. 6-18	Any elk
		407, 448, 501 through 505, 520, 550, 554, 560, 568, 572, 574, 578, 624, except for Elk Area 6071, Elk Area 6061, 654, 660, 667 through 673, 681, 684, and 699	Sept. 8- 20	Sept. 7-19	Sept. 6-18	3 pt. min. or antlerless
		460, 466, 506, 510, 513, 516, 530, 601, 602, 603, 607, 612 through 618, 627, 633, 638 through 648, 651, 658, and 663. Master hunters only in Elk Area 6064.	Sept. 8- 20	Sept. 7-19	Sept. 6-18	3 pt. min.
<b>Late Archery General Elk Seasons</b>						
Eastern Washington	EA	101, 105, 108, 117 through 127, 373, 388	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	Any elk
		178	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	Antlerless only
		<del>Master Hunters Only: 127-142 ((master hunters only)). Must wear hunter orange.</del>	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		Elk Area 1010, 163	Dec. 9 - Jan. 30	Dec. 9 - Jan. 30	Dec. 9 - Jan. 20, 2009	Antlerless only
		203 through 248, 250, 254 through 290, 379, 381. Must wear hunter orange.	Oct. 31 - Nov. 15	Oct. 30 - Nov. 15	Oct. 29 - Nov. 15	Any elk
		<del>Master Hunters Only: 371, Elk Area((s-3911 and)) 3912 ((master hunters only)). Must wear hunter orange.</del>	Aug. 1 - Jan. 20, 2010	Aug. 1 - Jan. 20, 2011	Aug. 1 - Jan. 20, 2012	Antlerless only
		<del>Elk Area 3911**. Must wear hunter orange.</del>		Aug. 1 - Dec. 31	Aug. 1 - Dec. 31	Antlerless only
		<del>Master Hunters Only: Elk Area 3911((= master hunters only;)) ** 2nd tag. Must wear hunter orange.</del>	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Aug. 1 - Oct. 23	Antlerless only
		328	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	True spike bull
		335	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	True spike bull or antlerless
		336, 346, 352, 364, Elk Area 3681	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	Spike bull or antlerless
Western Washington	WA	407, 503, 505, 648, 667, 672, 681, and 699. Master hunters only in Elk Area 6064 portion of GMU 638.	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	3 pt. min. or antlerless
		454, 564, 666	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	Any elk
		603, 612, 615, 638	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	3 pt. min.
		506, 520, 530	Nov. 25 - Dec. 7	Nov. 24 - Dec. 7	Nov. 23 - Dec. 7	Antlerless <u>only</u>
		((Elk Area 4941	Nov. 1 - Jan. 20	Nov. 1 - Jan. 20	Nov. 1 - Jan. 20	Any elk))
		<p>*GMU 372 and Elk Area 3722 are mainly private property. hunters are not advised to try hunting these areas without making prior arrangements for access.</p> <p>**Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. <u>Only one (1) elk may be taken from Elk Area 3911.</u> Any legal weapon may be used. Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 25, 2009, August 1 - October 24, 2010, and August 1 - October 23, 2011. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.</p>				

**Muzzleloader General Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** Valid muzzleloader elk tag as listed below on his/her person for the area hunted.

**Hunting Method:** Muzzleloader only as defined by WAC 232-12-051.

**Special Notes:** Muzzleloader tag holders can only hunt during the muzzleloader seasons and must hunt with muzzleloader equipment. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2009 Dates	2010 Dates	2011 Dates	Legal Elk
<b>Early Muzzleloader General Elk Seasons</b>						
Eastern Washington	EM	111, 113, 117, 247	Oct. 3-9	Oct. 2-8	Oct. 1-7	Any bull
		101 through 108, 121 through 142, 250	Oct. 3-9	Oct. 2-8	Oct. 1-7	Any elk
		172, 245, 336 through 342, 352 through 360, 368	Oct. 3-9	Oct. 2-8	Oct. 1-7	Spike bull
		335, Elk Area 2051	Oct. 3-9	Oct. 2-8	Oct. 1-7	True spike bull
Western Washington	WM	454, 564, ( <del>568, 574, 578;</del> ) 666, 684	Oct. 3-9	Oct. 2-8	Oct. 1-7	Any elk
		460, 513, 530, 554, <del>568, 574, 578,</del> 602, 603, 607, 627, 633, 638 except Elk Area 6064, 642, 660, 663, 672	Oct. 3-9	Oct. 2-8	Oct. 1-7	3 pt. min.
		501, 503, 504, 652, except Elk Area 6013 closed to antlerless, 654, 667	Oct. 3-9	Oct. 2-8	Oct. 1-7	3 pt. min. or antlerless
<b>Late Muzzleloader General Elk Seasons</b>						
Eastern Washington	EM	130 through 142	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	Any elk
		<del>Master Hunters Only:</del> 127-142 ( <del>(master hunters only)</del> ). Must wear hunter orange.	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381. Must wear hunter orange.	Oct. 31 - Nov. 15	Oct. 30 - Nov. 15	Oct. 29 - Nov. 15	Any elk
		<del>Master Hunters Only:</del> 371, Elk Area ( <del>s-3911 and</del> ) 3912 ( <del>(master hunters only)</del> ). Must wear hunter orange.	Aug. 1 - Jan. 20	Aug. 1 - Jan. 20	Aug. 1 - Jan. 20	Antlerless only
		Elk Area 3911**. Must wear hunter orange.		Aug. 1 - Dec. 31	Aug. 1 - Dec. 31	Antlerless only
		<del>Master Hunters Only:</del> Elk Area 3911* ( <del>(master hunters only)</del> ;) 2nd tag. Must wear hunter orange.	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Aug. 1 - Oct. 23	Antlerless only
Western Washington	WM	501, 503, 504, 505, 652 except Elk Area 6013 closed to antlerless.	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	3 pt. min. or antlerless
		454, 564, ( <del>568;</del> ) 666, 684	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	Any elk
		<del>568,</del> 574, 578	Nov. 25-30	Nov. 24-30	Nov. 23-30	( <del>(Any elk)</del> ) 3 pt. min.
		550, 601, 618, 658, 667	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	3 pt. min.
		*Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. Any legal weapon may be used. Only one (1) elk may be taken from Elk Area 3911. Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 25, 2009, August 1 - October 24, 2010, and August 1 - October 23, 2011. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

NEW SECTION**WAC 232-28-355 Deer special permits.****Deer Special Permit Hunting Seasons (Open to Permit Holders Only)**

Hunters must purchase a deer hunting license prior to purchase of a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for archery, muzzleloader, or modern firearm permit hunts. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt.

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Kelly Hill	Modern Firearm	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 105	5
Douglas	Modern Firearm	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 108	5
Aladdin	Modern Firearm	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 111	5
49 Degrees North	Modern Firearm	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 117	5
Huckleberry	Modern Firearm	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 121	5
Mt. Spokane	Modern Firearm	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 124	5
Tucannon	Modern Firearm	Any	Nov. 20-24	Mule deer, 3 pt. min.	GMU 166	1
Wenaha	Modern Firearm	Any	Nov. 8-15	Mule deer, 3 pt. min.	GMU 169	2
Lick Creek	Modern Firearm	Any	Nov. 20-24	Mule deer, 3 pt. min.	GMU 175	1
Grande Ronde	Modern Firearm	Any	Nov. 20-24	Mule deer, 3 pt. min.	GMU 186	1
East Okanogan	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 204	5
Sinlahekin	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 215	5
Chewuch	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 218	15
Pearrygin	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 224	15
Gardner	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 231	10
Pogue	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 233	15
Alta	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 242	20
Manson	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 243	8
Chiwawa	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 245	25
Slide Ridge	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 246	10
Entiat	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 247	25
Swakane	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 250	17
Mission	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 251	8
Ritzville	Modern Firearm	Any	Nov. 1-20	Any buck	GMU 284	10
Desert	Modern Firearm	Any	Oct. 30 - Nov. 7	Any buck	GMU 290	15
Desert	Modern Firearm	Any	Nov. 20-28	Any buck	GMU 290	4
Naneum	Modern Firearm	Any	Nov. 15-21	Any buck	GMU 328	16
Quilomene	Modern Firearm	Any	Nov. 8-21	Any buck	GMU 329	14
Teanaway	Modern Firearm	Any	Nov. 15-21	Any buck	GMU 335	16
L.T. Murray	Modern Firearm	Any	Nov. 15-21	Any buck	GMUs 336, 340	16
Bethel	Modern Firearm	Any	Nov. 8-21	Any buck	GMU 360	5
Cowiche	Modern Firearm	Any	Nov. 8-21	Any buck	GMU 368	10
Alkali	Modern Firearm	Any	Nov. 6-21	Any buck	GMU 371	5
Kahlotus	Modern Firearm	Any	Nov. 10-19	Any buck	GMU 381	10
Grayback	Modern Firearm	Any	Nov. 1-23	3 pt. min.	GMU 388	40
Nooksack	Modern Firearm	Any	Nov. 19-24	Any buck	GMU 418	25
Skagit	Modern Firearm	Any	Nov. 19-24	Any buck	GMU 426	10
Sauk	Modern Firearm	Any	Nov. 19-24	2 pt. min.	GMU 437	25
Stillaguamish	Modern Firearm	Any	Nov. 19-24	Any buck	GMU 448	10
Snoqualmie	Modern Firearm	Any	Nov. 19-24	Any buck	GMU 460	10
Green River	Modern Firearm	Any	Oct. 30 - Nov. 5	Any buck	GMU 485	5
Lewis River	Modern Firearm	Any	Nov. 1-17	Any buck	GMU 560	1
Washougal	Modern Firearm	Any	Nov. 1-17	Any buck	GMU 568	2
Siouxon	Modern Firearm	Any	Nov. 1-17	Any buck	GMU 572	1
Wind River	Modern Firearm	Any	Nov. 17-23	Any buck	GMU 574	40
West Klickitat	Modern Firearm	Any	Nov. 17-23	3 pt. min.	GMU 578	40
Wynoochee	Modern Firearm	Any	Nov. 1-24	Any buck	GMU 648	10
Satsop	Modern Firearm	Any	Nov. 1-24	Any buck	GMU 651	10



<b>Quality</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Mashel	Modern Firearm	Any	Nov. 1-24	2 pt. min.	GMU 654	10
Capitol Peak	Modern Firearm	Any	Nov. 1-24	Any buck	GMU 663	10
Skookumchuck	Modern Firearm	Any	Nov. 1-24	Any buck	GMU 667	10
Chiliwist	Archery	Any	Nov. 21-30	Any buck	GMU 239	10
Entiat	Archery	Any	Nov. 21-30	Any buck	GMU 247	48
Chiwawa	Archery	Any	Dec. 1-8	Any buck	GMU 245	15
Slide Ridge	Archery	Any	Dec. 1-8	Any buck	GMU 246	5
Desert	Archery	Any	Nov. 24 - Dec. 12	Any buck	GMU 290	24
Naneum	Archery	Any	Nov. 24 - Dec. 8	Any buck	GMU 328	9
Quilomene	Archery	Any	Nov. 24 - Dec. 8	Any buck	GMU 329	13
Teanaway	Archery	Any	Nov. 24 - Dec. 8	Any buck	GMU 335	14
L.T. Murray	Archery	Any	Nov. 24 - Dec. 8	Any buck	GMUs 336, 340	8
West Klickitat	Archery	Any	Nov. 24-30	3 pt. min.	GMU 578	100
Kitsap	Archery	Any	Nov. 1-24	Any buck	GMU 627	10
Skokomish	Archery	Any	Nov. 1-24	2 pt. min.	GMU 636	10
Blue Mtns. Foothills	Muzzleloader	Any	Nov. 20 - Dec. 8	White-tailed, 3 pt. min. or antlerless	GMUs 149, 154, 162, 166	60
Alta	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 242	25
Chiwawa	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 245	3
Slide Ridge	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 246	1
Mission	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 251	17
Desert	Muzzleloader	Any	Oct. 16-24	Any buck	GMU 290	2
Teanaway	Muzzleloader	Any	Nov. 8-14	Any buck	GMU 335	2
L.T. Murray	Muzzleloader	Any	Nov. 8-14	Any buck	GMUs 336, 340	4
Bald Mountain	Muzzleloader	Any	Nov. 8-21	Any buck	GMUs 342, 346	10
Naneum	Muzzleloader	Any	Nov. 8-14	Any buck	GMU 328	2
Quilomene	Muzzleloader	Any	Sept. 25 - Oct. 3	Any buck	GMU 329	2
West Klickitat	Muzzleloader	Any	Dec. 1-8	3 pt. min.	GMU 578	100
Olympic	Muzzleloader	Any	Nov. 1-24	Any buck	GMU 621	5

<b>Bucks</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Palouse	Modern Firearm	Any	Nov. 6-19	White-tailed, 3 pt. min.	GMUs 127-142	750
Blue Mtns. Foothills East	Modern Firearm	Any	Nov. 8-19	White-tailed, 3 pt. min.	GMUs 149, 154, 162-166	100
Blue Mtns. Foothills West	Modern Firearm	Any	Nov. 8-19	White-tailed, 3 pt. min.	GMUs 145, 172-181	50
East Okanogan	Modern Firearm	Any	Nov. 1-20	Any white-tailed buck	GMU 204	50
Sinlahekin	Modern Firearm	Any	Nov. 1-20	Any white-tailed buck	GMU 215	50
Chewuch	Modern Firearm	Any	Nov. 1-20	Any white-tailed buck	GMU 218	15
Pearygin	Modern Firearm	Any	Nov. 1-20	Any white-tailed buck	GMU 224	15
Gardner	Modern Firearm	Any	Nov. 1-20	Any white-tailed buck	GMU 231	15
Pogue	Modern Firearm	Any	Nov. 1-20	Any white-tailed buck	GMU 233	20
Chiliwist	Modern Firearm	Any	Nov. 1-20	Any white-tailed buck	GMU 239	15
Alta	Modern Firearm	Any	Nov. 1-20	Any white-tailed buck	GMU 242	20
East Klickitat	Modern Firearm	Youth	Oct. 16-29	Any buck	GMU 382	5
Grayback	Modern Firearm	Youth	Oct. 16-29	Any buck	GMU 388	5
West Klickitat	Modern Firearm	Youth	Oct. 16-31	Any buck	GMU 578	5
Big Bend	Archery	Any	Dec. 1-8	Any buck	GMU 248	10
Ritzville	Archery	Any	Dec. 1-8	Any buck	GMU 284	4
Alkali	Archery	Any	Sep. 1-25	Any buck	GMU 371	50
Whitcomb	Archery	Any	Sep. 11-15	Any buck	Deer Area 3071	7
Paterson	Archery	Any	Sep. 11-15	Any buck	Deer Area 3072	10
Roosevelt	Muzzleloader	Any	Sep. 25 - Oct. 15	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 133	20

<b>Bucks</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Harrington	Muzzleloader	Any	Sep. 25 - Oct. 15	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 136	20
Step toe	Muzzleloader	Any	Sep. 25 - Oct. 15	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 139	20
Almota	Muzzleloader	Any	Sep. 25 - Oct. 15	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 142	20
Dayton	Muzzleloader	Any	Sep. 25 - Oct. 3	3 pt. min.	GMU 162	25
Tucannon	Muzzleloader	Any	Sep. 25 - Oct. 3	3 pt. min.	GMU 166	10
Wenaha	Muzzleloader	Any	Sep. 25 - Oct. 3	3 pt. min.	GMU 169	25
Mountain View	Muzzleloader	Any	Sep. 25 - Oct. 3	3 pt. min.	GMU 172	15
Ritzville	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 284	1
Alkali	Muzzleloader	Any	Sep. 26 - Oct. 15	Any buck	GMU 371	
Kahlotus	Muzzleloader	Any	Oct. 2-9	Any buck	GMU 381	30

<b>Antlerless</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Lincoln	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 501	15
Stella	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 504	15
Mossyrock	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 505	30
South Rainier	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 513	10
Winston	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 520	20
Pysht	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 603	15
Olympic	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 621	35
Skokomish	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 636	20
Wynoochee	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 648	110
Mashel	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 654	40
North River	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 658	35
Minot Peak	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 660	20
Capitol Peak	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 663	15
Skookumchuck	Modern Firearm	Any	Oct.16-31	Antlerless	GMU 667	20
Entiat	Archery	Any	Nov. 21-30	Antlerless	GMU 247	53
Swakane	Archery	Any	Nov. 21-30	Antlerless	GMU 250	70
Whitcomb	Archery	Any	Sep. 1-10	Antlerless	Deer Area 3071	7
Paterson	Archery	Any	Sep. 1-10	Antlerless	Deer Area 3072	10
Grayback	Archery	Any	Nov. 24 - Dec. 8	Antlerless	GMU 388	100
Sherman	Muzzleloader	Any	Sep. 25 - Oct. 3	White-tailed, antlerless	GMU 101	40
Northeast	Muzzleloader	Any	Sep. 25 - Oct. 3	White-tailed, antlerless	GMUs 105, 108, 111, 113, 117, and 121	180
Selkirk	Muzzleloader	Any	Nov. 25 - Dec. 8	White-tailed, antlerless	GMU 113	30
Whitcomb	Muzzleloader	Any	Sep. 27 - Oct. 1	Antlerless	Deer Area 3071	7
Paterson	Muzzleloader	Any	Sep. 27 - Oct. 1	Antlerless	Deer Area 3072	10
Mossyrock	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 505	10
Stormking	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 510	5
South Rainier	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 513	5
Packwood	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 516	5
Winston	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 520	5
Coweeman	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 550	30
Yale	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 554	2
Toutle	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 556	3
Olympic	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 621	20
North River	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 658	5

<b>2nd Deer</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Republic	Any	Any	Sep. 1 - Dec. 31	Any deer	Deer Area 1030	25
Colville River	Any	Any	Sep. 1 - Dec. 31	White-tailed, antlerless	Deer Area 1035	25

<b>2nd Deer</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Benge	Any	Any	Dec. 9-31	Antlerless	Deer Area 2010	30
Lakeview	Any	Any	Jan. 1-30	Antlerless	Deer Area 2011	20
Methow	Any	Any	Sep. 8 - Oct. 9	Antlerless	Deer Area 2012	100
North Okanogan	Any	Any	Sep. 8 - Oct. 9	Antlerless	Deer Area 2013	50
Central Okanogan	Any	Any	Sep. 8 - Oct. 9	Antlerless	Deer Area 2014	25
Omak	Any	Any	Sep. 8 - Oct. 9	Antlerless	Deer Area 2015	25
Conconully	Any	Any	Sep. 8 - Oct. 9	Antlerless	Deer Area 2016	25
Mt. Spokane	Modern	Any	Oct. 16-29 and Nov. 6-19	White-tailed, antlerless	GMU 124	50
Spokane North	Modern	Any	Oct. 16-29 and Nov. 6-19	White-tailed, antlerless	Deer Area 1050	350
Mica Peak	Modern	Any	Oct. 16-24	White-tailed, antlerless	GMU 127	25
Spokane South	Modern	Any	Oct. 16-24	White-tailed, antlerless	Deer Area 1060	125
Cheney	Modern	Any	Oct. 16-24	Antlerless	GMU 130	100
Spokane West	Modern	Any	Oct. 16-24	Antlerless	Deer Area 1070	75
Roosevelt	Modern	Any	Oct. 16-24	Antlerless	GMU 133	150
Harrington	Modern	Any	Oct. 16-24	Antlerless	GMU 136	150
Steptoe	Modern	Any	Oct. 16-24	Antlerless	GMU 139	150
Colfax	Modern	Any	Oct. 16-24	Antlerless	Deer Area 1080	75
Almota	Modern	Any	Oct. 16-24	Antlerless	GMU 142	100
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	50
Blue Creek	Modern	Any	Nov. 8-19	White-tailed, antlerless	GMU 154	50
Dayton	Modern	Any	Nov. 8-19	White-tailed, antlerless	GMU 162	80
Ten Ten	Modern	Any	Nov. 8-19	Antlerless	Deer Area 1010	60
Marengo	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 163	50
Peola	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 178	50
East Okanogan	Modern	Any	Oct. 16-24	White-tailed, antlerless	GMU 204	100
Sinlahekin	Modern	Any	Oct. 16-24	White-tailed, antlerless	GMU 215	40
Chewuch	Modern	Any	Oct. 16-24	White-tailed, antlerless	GMU 218	10
Pearrygin	Modern	Any	Oct. 16-24	White-tailed, antlerless	GMU 224	10
Gardner	Modern	Any	Oct. 16-24	White-tailed, antlerless	GMU 231	10
Pogue	Modern	Any	Oct. 16-24	White-tailed, antlerless	GMU 233	10
Chiliwist	Modern	Any	Oct. 16-24	White-tailed, antlerless	GMU 239	10
Alta	Modern	Any	Oct. 16-24	White-tailed, antlerless	GMU 242	10
Big Bend	Modern	Any	Oct. 16-24	Antlerless	GMU 248	33
Mission	Modern	Any	Oct. 16-24	Antlerless	GMU 251	33
St. Andrews	Modern	Any	Oct. 16-24	Antlerless	GMU 254	20
Foster Creek	Modern	Any	Oct. 16-24	Antlerless	GMU 260	20
Withrow	Modern	Any	Oct. 16-24	Antlerless	GMU 262	18
Badger	Modern	Any	Oct. 16-24	Antlerless	GMU 266	13
Desert	Modern	Any	Dec. 13-26	Antlerless	GMU 290	50
Kahlotus	Modern	Any	Dec. 4-11	Antlerless	GMU 381	50
East Klickitat	Modern	Any	Oct. 16-29	Antlerless	GMU 382	30
Grayback	Modern	Any	Oct. 16-29	Antlerless	GMU 388	20
Green River	Modern	Any	Oct. 17-23	Antlerless	GMU 485	10
Shaw	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4004	20
Lopez	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4005	30
Orcas	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4006	30
Decatur	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4007	30
Blakely	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4008	30

<b>2nd Deer</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Cypress	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4009	30
San Juan	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4010	30
Camano	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4011	30
Whidbey	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4012	100
Vashon-Maury	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4013	100
Guemes	Modern	Any	Oct. 16-31 and Nov. 18-21	Any deer	Deer Area 4926	30
Randle	Modern	Any	Oct. 16-31	Antlerless	GMU 503	5
Willapa Hills	Modern	Any	Oct. 16-31	Antlerless	GMU 506	10
Stormking	Modern	Any	Oct. 16-31	Antlerless	GMU 510	15
Packwood	Modern	Any	Oct. 16-31	Antlerless	GMU 516	15
Ryderwood	Modern	Any	Oct. 16-31	Antlerless	GMU 530	10
Coweeman	Modern	Any	Oct. 16-31	Antlerless	GMU 550	10
Yale	Modern	Any	Oct. 16-31	Antlerless	GMU 554	10
Lewis River	Modern	Any	Oct. 16-31	Antlerless	GMU 560	3
Washougal	Modern	Any	Oct. 16-31	Antlerless	GMU 568	10
Siouxon	Modern	Any	Oct. 16-31	Antlerless	GMU 572	3
Wind River	Modern	Any	Oct. 16-31	Antlerless	GMU 574	3
West Klickitat	Modern	Any	Oct. 16-31	Antlerless	GMU 578	10
High Prairie	Modern	Any	Oct. 16-29	Antlerless	Deer Area 3088	15
Anderson	Modern	Any	Oct. 16-31 and Nov. 18-21	Antlerless	Deer Area 6014	40
Kitsap	Modern	Any	Oct. 16-31	Antlerless	GMU 627	10
Mashel	Modern	Any	Oct. 16-31	Antlerless	GMU 654	10
North River	Modern	Any	Oct. 16-31	Antlerless	GMU 658	16
Deschutes	Modern	Any	Oct. 16-31	Antlerless	GMU 666	40
Mt. Spokane	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 15	White-tailed, antlerless	GMU 124	25
Mica Peak	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 15	White-tailed, antlerless	GMU 127	25
Clarkston	Archery	Any	Nov. 20 - Dec. 31	Antlerless	Deer Area 1021	30
Spokane North	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 15	White-tailed, antlerless	Deer Area 1050	75
Spokane South	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 15	White-tailed, antlerless	Deer Area 1060	25
Colfax	Archery	Any	Sep. 1-24	Antlerless	Deer Area 1080	10
Shaw	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4004	20
Lopez	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4005	20
Orcas	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4006	20
Decatur	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4007	20
Blakely	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4008	20
Cypress	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4009	20
San Juan	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4010	20
Camano	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4011	20

<b>2nd Deer</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Whidbey	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4012	20
Vashon-Maury	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4013	20
Guemes	Archery	Any	Sep. 1-24 and Nov. 24 - Dec. 31	Any deer	Deer Area 4926	20
Anderson	Archery	Any	Sep. 1-24 and Dec. 16-31	Antlerless	Deer Area 6014	8
Miller	Archery	Any	Dec. 15-30	Antlerless	Deer Area 6020	30
Green Bluff	Muzzleloader	Any	Dec. 9-31	White-tailed, antlerless	That portion of GMU 124 east of Hwy 2	75
Mt. Spokane	Muzzleloader	Any	Sep. 25 - Oct. 3	White-tailed, antlerless	GMU 124	25
Spokane North	Muzzleloader	Any	Sep. 25 - Oct. 3	White-tailed, antlerless	Deer Area 1050	25
Cheney	Muzzleloader	Any	Nov. 25 - Dec. 1	Antlerless	GMU 130	25
Spokane West	Muzzleloader	Any	Nov. 25 - Dec. 1	Antlerless	Deer Area 1070	25
Roosevelt	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 1	Antlerless	GMU 133	25
Harrington	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 1	Antlerless	GMU 136	25
Mayview	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 145	25
Chiwawa	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 245	8
Swakane	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 250	5
Mission	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 251	5
Foster Creek	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 260	10
Moses Coulee	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 269	10
Lakeview	Muzzleloader	Any	Nov. 1-18	Antlerless	Deer Area 2011	10
Shaw	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4004	20
Lopez	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4005	20
Orcas	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4006	20
Decatur	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4007	20
Blakely	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4008	20
Cypress	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4009	20
San Juan	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4010	20
Camano	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4011	20
Whidbey	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4012	20
Vashon-Maury	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4013	20
Guemes	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 25 - Dec. 15	Any deer	Deer Area 4926	20
East Klickitat	Muzzleloader	Any	Nov. 20-30	Antlerless	GMU 382	15
Yale	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 554	2
Washougal	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 568	10
West Klickitat	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	GMU 578	10
High Prairie	Muzzleloader	Any	Sep. 25 - Oct. 3	Antlerless	Deer Area 3088	5
Anderson	Muzzleloader	Any	Sep. 25 - Oct. 3 and Nov. 24 - Dec. 15	Antlerless	Deer Area 6014	3

<b>Youth</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Blue Mtns. Foothills East	Modern	Youth	Oct. 16-24	Antlerless	GMUs 149, 154, 163, Deer Area 1010	30
Blue Mtns. Foothills West	Modern	Youth	Oct. 16-24	Antlerless	GMUs 145, 172-181	30
Mt. Spokane	Modern	Youth	Oct. 16-24	Antlerless	GMU 124	5
Steptoe	Modern	Youth	Oct. 16-24	Antlerless	GMU 139	5
Almota	Modern	Youth	Oct. 16-24	Antlerless	GMU 142	5
East Okanogan	Modern	Youth	Oct. 16-24	Antlerless	GMU 204	35
Wannacut	Modern	Youth	Oct. 16-24	Antlerless	GMU 209	10
Sinlahekin	Modern	Youth	Oct. 16-24	Antlerless	GMU 215	20
Chewuch	Modern	Youth	Oct. 16-24	Antlerless	GMU 218	30
Pearrygin	Modern	Youth	Oct. 16-24	Antlerless	GMU 224	35
Gardner	Modern	Youth	Oct. 16-24	Antlerless	GMU 231	15
Pogue	Modern	Youth	Oct. 16-24	Antlerless	GMU 233	10
Chiliwist	Modern	Youth	Oct. 16-24	Antlerless	GMU 239	20
Alta	Modern	Youth	Oct. 16-24	Antlerless	GMU 242	25
Chiwawa	Modern	Youth	Oct. 16-24	Antlerless	GMU 245	15
Entiat	Modern	Youth	Oct. 16-24	Antlerless	GMU 247	15
Swakane	Modern	Youth	Oct. 16-24	Antlerless	GMU 250	10
Mission	Modern	Youth	Oct. 16-24	Antlerless	GMU 251	20
Bridge Port	Modern	Youth	Oct. 16-24	Antlerless	GMUs 248, 260	20
Palisades	Modern	Youth	Oct. 16-24	Antlerless	GMUs 266, 269	20
Benge	Modern	Youth	Oct. 23-31	Antlerless	Deer Area 2010	30
Horse Heaven Hills	Modern	Youth	Oct. 16-29	Antlerless	GMU 373	10
Kahlotus	Modern	Youth	Oct. 16-24	Antlerless	GMU 381	15
East Klickitat	Modern	Youth	Oct. 16-29	Antlerless	GMU 382	20
Grayback	Modern	Youth	Oct. 16-29	Antlerless	GMU 388	10
Green River	Modern	Youth	Oct. 17-23	Any deer	GMU 485	5
Lincoln	Modern	Youth	Oct. 16-31	Antlerless	GMU 501	10
Stella	Modern	Youth	Oct. 16-31	Antlerless	GMU 504	10
Mossyrock	Modern	Youth	Oct. 16-31	Antlerless	GMU 505	10
Stormking	Modern	Youth	Oct. 16-31	Antlerless	GMU 510	10
South Rainier	Modern	Youth	Oct. 16-31	Antlerless	GMU 513	10
Packwood	Modern	Youth	Oct. 16-31	Antlerless	GMU 516	10
Winston	Modern	Youth	Oct. 16-31	Antlerless	GMU 520	10
Yale	Modern	Youth	Oct. 16-31	Antlerless	GMU 554	10
Toutle	Modern	Youth	Oct. 16-31	Antlerless	GMU 556	25
Lewis River	Modern	Youth	Oct. 16-31	Antlerless	GMU 560	5
Washougal	Modern	Youth	Oct. 16-31	Antlerless	GMU 568	10
Siouxon	Modern	Youth	Oct. 16-31	Antlerless	GMU 572	5
Wind River	Modern	Youth	Oct. 16-31	Antlerless	GMU 574	10
West Klickitat	Modern	Youth	Oct. 16-31	Antlerless	GMU 578	10
Skokomish	Modern	Youth	Oct. 9-31	2 pt. min. or antlerless	GMU 636	5
Satsop	Modern	Youth	Oct. 9-31	Any deer	GMU 651	10
Mashel	Modern	Youth	Oct. 9-31	2 pt. min. or antlerless	GMU 654	20
North River	Modern	Youth	Oct. 9-31	Any deer	GMU 658	10
Skookumchuck	Modern	Youth	Oct. 9-31	Any deer	GMU 667	60
East Okanogan	Muzzleloader	Youth	Sep. 25 - Oct. 3	Antlerless	GMU 204	5
Wannacut	Muzzleloader	Youth	Sep. 25 - Oct. 3	Antlerless	GMU 209	5
Pogue	Muzzleloader	Youth	Sep. 25 - Oct. 3	Antlerless	GMU 233	5
Chiliwist	Muzzleloader	Youth	Sep. 25 - Oct. 3	Antlerless	GMU 239	5
Alta	Muzzleloader	Youth	Sep. 25 - Oct. 3	Antlerless	GMU 242	5
Mission	Muzzleloader	Youth	Sep. 25 - Oct. 3	Antlerless	GMU 251	10

<b>Senior 65+</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Blue Mtns. Foothills East	Modern	65+	Oct. 16-24	Antlerless	GMUs 145, 149, 154, Deer Area 1010	30
East Okanogan	Modern	65+	Oct. 16-24	Antlerless	GMU 204	5
Wannacut	Modern	65+	Oct. 16-24	Antlerless	GMU 209	5
Sinlahekin	Modern	65+	Oct. 16-24	Antlerless	GMU 215	5
Chewuch	Modern	65+	Oct. 16-24	Antlerless	GMU 218	10
Pearrygin	Modern	65+	Oct. 16-24	Antlerless	GMU 224	10
Gardner	Modern	65+	Oct. 16-24	Antlerless	GMU 231	5
Pogue	Modern	65+	Oct. 16-24	Antlerless	GMU 233	5
Chiliwist	Modern	65+	Oct. 16-24	Antlerless	GMU 239	10
Alta	Modern	65+	Oct. 16-24	Antlerless	GMU 242	5
Chiwawa	Modern	65+	Oct. 16-24	Antlerless	GMU 245	8
Entiat	Modern	65+	Oct. 16-24	Antlerless	GMU 247	8
Swakane	Modern	65+	Oct. 16-24	Antlerless	GMU 250	8
Mission	Modern	65+	Oct. 16-24	Antlerless	GMU 251	8
Bridgeport	Modern	65+	Oct. 16-24	Antlerless	GMUs 248, 260	10
Palisades	Modern	65+	Oct. 16-24	Antlerless	GMUs 266, 269	10
Sunnyside	Modern	65+	Oct. 16-24	Antlerless	GMU 372	10
Horse Heaven Hills	Modern	65+	Oct. 16-29	Antlerless	GMU 373	10
Kahlotus	Modern	65+	Oct. 16-24	Antlerless	GMU 381	10
East Klickitat	Modern	65+	Oct. 16-29	Antlerless	GMU 382	20
Grayback	Modern	65+	Oct. 16-29	Antlerless	GMU 388	5
Lincoln	Modern	65+	Oct. 16-31	Antlerless	GMU 501	5
Stella	Modern	65+	Oct. 16-31	Antlerless	GMU 504	5
Mossyrock	Modern	65+	Oct. 16-31	Antlerless	GMU 505	15
Stormking	Modern	65+	Oct. 16-31	Antlerless	GMU 510	5
South Rainier	Modern	65+	Oct. 16-31	Antlerless	GMU 513	5
Packwood	Modern	65+	Oct. 16-31	Antlerless	GMU 516	5
Winston	Modern	65+	Oct. 16-31	Antlerless	GMU 520	5
Yale S	Modern	65+	Oct. 16-31	Antlerless	GMU 554	5
Toutle	Modern	65+	Oct. 16-31	Antlerless	GMU 556	10
Lewis River	Modern	65+	Oct. 16-31	Antlerless	GMU 560	2
Washougal	Modern	65+	Oct. 16-31	Antlerless	GMU 568	10
Siouxon	Modern	65+	Oct. 16-31	Antlerless	GMU 572	2
Wind River	Modern	65+	Oct. 16-31	Antlerless	GMU 574	2
West Klickitat	Modern	65+	Oct. 16-31	Antlerless	GMU 578	5
Copalis	Modern	65+	Oct. 16-31	Antlerless	GMU 642	20
North River C	Modern	65+	Oct. 16-31	Antlerless	GMU 658	10
Williams Creek	Modern	65+	Oct. 16-31	Antlerless	GMU 673	20

<b>Hunters with Disabilities</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
East Okanogan	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 204	7
Wannacut	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 209	5
Sinlahekin	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 215	7
Chewuch	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 218	5
Pearrygin	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 224	5
Gardner	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 231	7
Pogue	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 233	5

<b>Hunters with Disabilities</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Chiliwist	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 239	5
Alta	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 242	5
Chiwawa	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 245	7
Entiat	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 247	7
Mission	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 251	7
Saint Andrews	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMU 254	7
Bridge Port	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMUs 248, 260	7
Palisades	Modern	Hunter with Disability	Oct. 16-24	Antlerless	GMUs 266, 269	7
Horse Heaven Hills	Modern	Hunter with Disability	Oct. 16-29	Antlerless	GMU 373	10
Kahlotus	Modern	Hunter with Disability	Nov. 1-9	Antlerless	GMU 381	10
East Klickitat	Modern	Hunter with Disability	Oct. 16-29	Antlerless	GMU 382	15
Grayback	Modern	Hunter with Disability	Oct. 16-29	Antlerless	GMU 388	5
Green River	Modern	Hunter with Disability	Oct. 30 - Nov. 5	Antlerless	GMU 485	5
Lincoln	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 501	2
Stella	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 504	2
Mossyrock	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 505	3
Stormking	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 510	2
South Rainier	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 513	2
Packwood	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 516	2
Winston	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 520	2
Yale	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 554	2
Toutle	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 556	3
Lewis River	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 560	1
Washougal	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 568	7
Siouxon	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 572	2
Wind River	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 574	1
West Klickitat	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 578	2
Capitol Peak	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 663	20
Skookumchuck	Modern	Hunter with Disability	Oct. 16-31	Antlerless	GMU 667	30
North River	Modern	Hunter with Disability	Oct. 17-31	Antlerless	GMU 658	3



<b>Hunters with Disabilities</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Wind River	Archery	Hunter with Disability	Sep. 1-24	Antlerless	GMU 574	1
West Klickitat	Archery	Hunter with Disability	Sep. 1-24	3 pt. min. or antlerless	GMU 578	1
East Okanogan	Muzzleloader	Hunter with Disability	Sep. 25 - Oct. 3	Antlerless	GMU 204	3
Sinlahekin	Muzzleloader	Hunter with Disability	Sep. 25 - Oct. 3	Antlerless	GMU 215	3
Gardner	Muzzleloader	Hunter with Disability	Sep. 25 - Oct. 3	Antlerless	GMU 231	3
Chiwawa	Muzzleloader	Hunter with Disability	Sep. 25 - Oct. 3	Antlerless	GMU 245	3
Mission	Muzzleloader	Hunter with Disability	Sep. 25 - Oct. 3	Antlerless	GMU 251	3
Entiat	Muzzleloader	Hunter with Disability	Sep. 25 - Oct. 3	Antlerless	GMU 247	3
Saint Andrews	Muzzleloader	Hunter with Disability	Sep. 25 - Oct. 3	Antlerless	GMU 254	3
Bridge Port	Muzzleloader	Hunter with Disability	Sep. 25 - Oct. 3	Antlerless	GMUs 248, 260	3
Palisades	Muzzleloader	Hunter with Disability	Sep. 25 - Oct. 3	Antlerless	GMUs 266, 269	3
Capitol Peak E	Muzzleloader	Hunter with Disability	Muzzleloader: Sep. 25 - Oct. 3	Antlerless	GMU 663	2
North River F	Muzzleloader	Hunter with Disability	Muzzleloader: Sep. 25 - Oct. 3	Antlerless	GMU 658	1

<b>Master Hunter</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Miller	Any/2nd tag	Master Hunter	Jan. 1-20	Antlerless deer; archery and crossbow equipment only	That part of Deer Area 6020 east of Sequim Bay	30
Lakeview	Any/2nd tag	Master Hunter	Dec. 9-31	Antlerless	Deer Area 2011	20

<b>Hunter Education Instructor Incentive Permits</b>				
<ul style="list-style-type: none"> <li>- Special deer permits will be allocated through a random drawing to those hunter education instructors that qualify.</li> <li>- Permit hunters must use archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons.</li> <li>- Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.</li> <li>- Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.</li> <li>- Permittees may purchase a second license for use with the permit hunt only.</li> </ul>				
Area	Dates	Restrictions	GMUs	Permits
Region 1	All general season and permit seasons established for GMUs included with the permit	Any white-tailed deer	Any 100 series GMU EXCEPT GMU 157	2
Region 2		Any white-tailed deer	GMUs 204-215	2
Region 2		Any deer	GMUs 215-251	1
Region 2		Any deer	GMU 290	1
Region 3		Any deer	GMUs 335-368, 382, 388	1
Region 4		Any deer	Any 400 series GMU EXCEPT GMUs 485 and 490	2
Region 5		Legal buck for 500 series GMU of choice or antlerless	Any 500 series GMU open for a general deer hunting season or a special deer permit hunting season	6
Region 6		Legal buck for GMU of choice	GMUs 654, 660, 672, 673, 681	1

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 232-28-353 2009 Deer special permits.

**NEW SECTION**

**WAC 232-28-356 Elk special permits.**

**Special Elk Permit Hunting Seasons (Open to Permit Holders Only)**

Hunters must purchase an elk hunting license prior to purchase of a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for Eastern or Western Washington archery, muzzleloader, or modern firearm permit hunts. Applicants must have purchased the proper tag for these hunts. The elk tag prefixes required to apply for each hunt are shown in the following table. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt.

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EF	Any	Oct. 26 - Nov. 14	Any bull	Elk Area 1015	1
Prescott	EF	Any	Sept. 21-25	Any bull	GMU 149	1
Prescott	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 149	2
Blue Creek	EF	Any	Sept. 21-25	Any bull	GMU 154	1
Blue Creek	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 154	5
Watershed	EA, EF, EM	Any	Oct. 30 - Nov. 7	3 pt. min. or antlerless	GMU 157	45
Dayton A	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 162	30
Tucannon A	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 166	8
Wenaha West	EF	Any	Oct. 25 - Nov. 7	Any bull	Elk Area 1008	10
Wenaha East	EF	Any	Oct. 25 - Nov. 7	Any bull	Elk Area 1009	8
Mountain View	EF	Any	Sept. 21-25	Any bull	GMU 172	1
Mountain View	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 172	10
Lick Creek	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 175	1
Peola	EF	Any	Sept. 21-25	Any bull	GMU 178	1
Peola	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 178	4
Couse	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 181	1
Grande Ronde	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 186	1
Mission	EF	Any	Sept. 21-25	Any bull	GMU 251	1
Colockum	EF	Any	Oct. 25 - Nov. 7	Any bull	GMUs 328, 329	5
Colockum	EF	Any	Sept. 20-24	Any bull	GMUs 328, 329	1
Teanaway	EF	Any	Sept. 20-24	Any bull	GMU 335	1
Peaches Ridge	EF	Any	Sept. 20-24	Any bull	GMUs 336, 346	1
Observatory	EF	Any	Sept. 20-24	Any bull	GMUs 340, 342	1
Little Naches	EF	Any	Oct. 1-10	Any bull	GMU 346	15
Goose Prairie	EF	Any	Sept. 20-24	Any bull	GMUs 352, 356	1
Bethel	EF	Any	Sept. 20-24	Any bull	GMU 360	1
Rimrock	EF	Any	Sept. 20-24	Any bull	GMU 364	1
Cowiche	EF	Any	Sept. 20-24	Any bull	GMU 368	1
Nooksack	WF	Any	Oct. 9 - Nov. 17	Any bull	GMU 418	4
Wahkiakum	WF	Any	Sept. 20-24	Any bull	GMUs 506, 530	1
Packwood	WF	Any	Sept. 20-24	Any bull	GMU 516	1
Margaret	WF	Any	Sept. 20-24 and Nov. 6-16	Any bull	GMU 524	2
Margaret	WF	Any	Nov. 6-16	Any bull	GMU 524	18
Toutle	WF	Any	Sept. 20-24 and Nov. 6-16	Any bull	GMU 556	2
Toutle	WF	Any	Nov. 6-16	Any bull	GMU 556	131
Lewis River	WF	Any	Sept. 20-30	Any bull	GMU 560	2
Siouxon	WF	Any	Sept. 20-30	Any bull	GMU 572	2
Carlton	WF	Any	Sept. 20-30	Any bull	Elk Area 5057	5
West Goat Rocks	WF	Any	Sept. 20-30	Any bull	Elk Area 5058	5
Mt. Adams	WF	Any	Sept. 20-30	Any bull	Elk Area 5059	5
Mudflow	WF	Any	Nov. 8-14	Any elk	Elk Area 5099	5
Peninsula	WF	Any	Sept. 20-24	3 pt. min.	GMUs 602, 607, 612	1

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Clearwater	WF	Any	Oct. 1-11	3 pt. min.	GMU 615	2
Matheny	WF	Any	Oct. 1-11	3 pt. min.	GMU 618	3
Quinault	WF	Any	Sept. 20-24	3 pt. min.	GMU 638	1
Wynoochee	WF	Any	Oct. 1-11	3 pt. min.	GMU 648	1
Satsop	WF	Any	Oct. 1-11	3 pt. min.	GMU 651	1
White River	WF	Any	Sept. 20-24	Any bull	GMU 653	1
Prescott	EA	Any	Sept. 1-19	Any bull	GMU 149	5
Blue Creek	EA	Any	Sept. 1-19	Any bull	GMU 154	6
Dayton	EA	Any	Sept. 1-19	Any bull	GMU 162	12
Tucannon	EA	Any	Sept. 1-19	Any bull	GMU 166	6
Wenaha West	EA	Any	Sept. 1-19	Any bull	Elk Area 1008	3
Wenaha East	EA	Any	Sept. 1-19	Any bull	Elk Area 1009	3
Mountain View	EA	Any	Sept. 1-19	Any bull	GMU 172	7
Lick Creek	EA	Any	Sept. 1-19	Any bull	GMU 175	1
Peola	EA	Any	Sept. 1-19	Any bull	GMU 178	2
Couse	EA	Any	Sept. 1-19	Any bull	GMU 181	1
Grande Ronde	EA	Any	Sept. 1-19	Any bull	GMU 186	1
Colockum	EA	Any	Sept. 7-19	Any bull	GMUs 328, 329	4
Peaches Ridge	EA	Any	Sept. 7-19	Any bull	GMUs 336, 346	107
Observatory	EA	Any	Sept. 7-19	Any bull	GMUs 340, 342	92
Goose Prairie	EA	Any	Sept. 7-19	Any bull	GMUs 352, 356	123
Bethel	EA	Any	Sept. 7-19	Any bull	GMU 360	28
Rimrock	EA	Any	Sept. 7-19	Any bull	GMU 364	111
Cowiche	EA	Any	Sept. 7-19	Any bull	GMU 368	14
Klickitat Meadows	EA	Any	Oct. 10-21	Any bull	Elk Area 3068	1
Nooksack	WA	Any	Sept. 1-24 and Dec. 1-31	Any bull	GMU 418	2
Margaret	WA	Any	Sept. 7-19 and Dec. 1-15	Any bull	GMU 524	7
Toutle	WA	Any	Sept. 7-19 and Dec. 1-15	Any bull	GMU 556	79
Mudflow	WA	Any	Sept. 7-19	Any elk	Elk Area 5099	5
Olympic	WA	Any	Sept. 7-19	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	6
Skokomish	WA	Any	Sept. 7-19	3 pt. min.	GMU 636	5
White River	WA	Any	Sept. 7-19	Any bull	GMU 653	20
Prescott	EM	Any	Oct. 1-15	Any bull	GMU 149	2
Blue Creek	EM	Any	Oct. 1-15	Any bull	GMU 154	2
Dayton	EM	Any	Oct. 1-15	Any bull	GMU 162	7
Tucannon	EM	Any	Oct. 1-15	Any bull	GMU 166	2
Wenaha West	EM	Any	Oct. 1-15	Any bull	Elk Area 1008	3
Wenaha East	EM	Any	Oct. 1-15	Any bull	Elk Area 1009	3
Mountain View	EM	Any	Oct. 1-15	Any bull	GMU 172	7
Lick Creek	EM	Any	Oct. 1-15	Any bull	GMU 175	1
Peola	EM	Any	Oct. 1-15	Any bull	GMU 178	2
Couse	EM	Any	Oct. 1-15	Any bull	GMU 181	1
Grande Ronde	EM	Any	Oct. 1-15	Any bull	GMU 186	1
Colockum	EM	Any	Oct. 1-10	Any bull	GMUs 328, 329	1
Peaches Ridge	EM	Any	Oct. 1-10	Any bull	GMUs 336, 346	22
Observatory	EM	Any	Oct. 1-10	Any bull	GMUs 340, 342	21
Goose Prairie	EM	Any	Oct. 1-10	Any bull	GMUs 352, 356	13
Bethel	EM	Any	Oct. 1-10	Any bull	GMU 360	12
Rimrock	EM	Any	Oct. 1-10	Any bull	GMU 364	16
Cowiche	EM	Any	Oct. 1-10	Any bull	GMU 368	8
Klickitat Meadows	EM	Any	Oct. 1-10	Any bull	Elk Area 3068	1
Nooksack	WM	Any	Sept. 25 - Oct. 8 and Nov. 25-30	Any bull	GMU 418	2
Margaret	WM	Any	Oct. 2-8	Any bull	GMU 524	4

<b>Quality</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Toutle	WM	Any	Oct. 2-8	Any bull	GMU 556	29
Mudflow	WM	Any	Oct. 2-8	Any elk	Elk Area 5099	5

<b>Bulls</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Prescott	EF	Any	Dec. 1-15	Any bull	GMU 149	2
Prescott	EF	Any	Dec. 16-31	Any bull	GMU 149	2
Mission	EF	Any	Oct. 26 - Nov. 8	Any bull	GMU 251	1
Teanaway	EF	Any	Dec. 18-31	Any bull	GMU 335	14
Peaches Ridge	EF	Any	Oct. 25 - Nov. 7	Any bull	GMUs 336, 346	129
Observatory	EF	Any	Oct. 25 - Nov. 7	Any bull	GMUs 340, 342	65
Goose Prairie	EF	Any	Oct. 25 - Nov. 7	Any bull	GMUs 352, 356	77
Bethel	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 360	38
Rimrock	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 364	117
Cowiche	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 368	17
Klickitat Meadows	EF	Any	Oct. 25 - Nov. 7	Any bull	Elk Area 3068	1
Alkali	EF	Any	Oct. 16 - Nov. 5	Any elk	GMU 371	20
Nooksack	WF	Any	Oct. 9 - Nov. 17	Spike only	GMU 418	6
Green River	WF	Any	Oct. 30 - Nov. 5	Any bull	GMU 485	3
Upper Smith Creek	WF	Any	Oct. 25-31	Any elk	Elk Area 5064	2
Mount Whittier	WF	Any	Oct. 25-31	Any elk	Elk Area 5065	1
Olympic	WF	Any	Nov. 6-16	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	14
Skokomish	WF	Any	Nov. 6-16	3 pt. min.	GMU 636	8
White River	WF	Any	Nov. 6-16	Any bull	GMU 653	48
Teanaway	EA	Any	Nov. 24 - Dec. 8	Any bull	GMU 335	19
Alkali	EA	Any	Sept. 1-24	Any bull	GMU 371	5
Nooksack	WA	Any	Sept. 1-24 and Dec. 1-31	Spike only	GMU 418	2
Upper Smith Creek	WA	Any	Oct. 9-15	Any elk	Elk Area 5064	2
Lewis River	WA	Any	Nov. 24 - Dec. 7	3 pt. min.	GMU 560	5
Siouxon	WA	Any	Nov. 24 - Dec. 7	3 pt. min.	GMU 572	5
Teanaway	EM	Any	Dec. 9-17	Any bull	GMU 335	6
Alkali	EM	Any	Sept. 26 - Oct. 15	Any bull	GMU 371	10
Nooksack	WM	Any	Sept. 25 - Oct. 8 and Nov. 25-30	Spike only	GMU 418	2
Upper Smith Creek	WM	Any	Oct. 16-24	Any elk	Elk Area 5064	2
Mount Whittier	WM	Any	Oct. 16-24	Any elk	Elk Area 5065	1
Yale	WM	Any	Nov. 24 - Dec. 15	3 pt. min.	GMU 554	15
Olympic	WM	Any	Oct. 2-8	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	3
Skokomish	WM	Any	Oct. 2-8	3 pt. min.	GMU 636	2
White River	WM	Any	Oct. 2-8	Any bull	GMU 653	4

<b>Antlerless Elk</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Sherman	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 101	10
Kelly Hill	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 105	10
Douglas	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 108	10
Aladdin	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 111	15
Selkirk	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 113	20
49 Degrees North	EF	Any	Oct. 30 - Nov. 7 and Dec. 16-31	Antlerless	GMU 117	45
Turnbull	EF	Any	Oct. 26 - 31	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	Nov. 2-7	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	Nov. 9-14	Antlerless	Elk Area 1015	6
Mayview	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 145	30

<b>Antlerless Elk</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Prescott	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 149	20
Prescott-Blue Creek	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMUs 149, 154	50
Prescott-Dayton	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 149 and Elk Area 1012	50
Marengo-Dayton	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 163 and Elk Area 1011	50
Mountain View	EF	Any	Oct. 30 - Nov. 7	Antlerless	Elk Area 1013	15
Dayton	EF	Any	Oct. 30 - Nov. 7	Antlerless	Elk Area 1016	75
Lick Creek	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 175	25
Peola	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 178	30
Couse	EF	Any	Oct. 4-15	Antlerless	GMU 181	30
Malaga	EF	Any	Sept. 15-25	Antlerless	Elk Area 2032	35
Malaga	EF	Any	Nov. 6 - Dec. 31	Antlerless	Elk Area 2032	35
West Bar	EF	Any	Oct. 30 - Nov. 3	Antlerless	GMU 330	5
West Bar	EF	Any	Nov. 4-7	Antlerless	GMU 330	5
Teanaway	EF	Any	Dec. 18 - Jan. 9	Antlerless	GMU 335	50
Taneum	EF	Any	Nov. 3-7	Antlerless	GMU 336	75
Manastash	EF	Any	Nov. 3-7	Antlerless	GMU 340	100
Umtanum	EF	Any	Nov. 3-7	Antlerless	GMU 342	100
Little Naches	EF	Any	Nov. 3-7	Antlerless	GMU 346	75
Nile	EF	Any	Nov. 3-7	Antlerless	GMU 352	10
Bumping	EF	Any	Nov. 3-7	Antlerless	GMU 356	15
Bethel	EF	Any	Nov. 3-7	Antlerless	GMU 360	10
Rimrock	EF	Any	Nov. 3-7	Antlerless	GMU 364	50
Cowiche	EF	Any	Nov. 3-7	Antlerless	GMU 368	50
Klickitat Meadows	EF	Any	Nov. 3-7	Antlerless	Elk Area 3068	5
North Bend	WF	Any	Nov. 6-16	Antlerless	Elk Area 4601	7
Mossyrock	WF	Any	Nov. 6-16	Antlerless	GMU 505	50
Willapa Hills	WF	Any	Nov. 6-16	Antlerless	GMU 506	35
Winston	WF	Any	Nov. 6-16	Antlerless	GMU 520	100
Margaret	WF	Any	Nov. 23-30	Antlerless	GMU 524	70
Ryderwood	WF	Any	Nov. 6-16	Antlerless	GMU 530	50
Coweeman	WF	Any	Nov. 6-16	Antlerless	GMU 550	120
Coweeman	WF	Any	Jan. 1-15	Antlerless	GMU 550	50
Toutle	WF	Any	Nov. 23-30	Antlerless	GMU 556	120
Lewis River	WF	Any	Nov. 6-16	Antlerless	GMU 560	100
Washougal	WF	Any	Nov. 6-16	Antlerless	GMU 568	75
Siouxon	WF	Any	Nov. 6-16	Antlerless	GMU 572	30
Wind River	WF	Any	Nov. 6-16	Antlerless	GMU 574	75
West Klickitat	WF	Any	Nov. 6-16	Antlerless	GMU 578	150
Toledo	WF	Any	Nov. 6-16	Antlerless	Elk Area 5029	30
Newaukum	WF	Any	Nov. 6-16	Antlerless	Elk Area 5050	5
Green Mt.	WF	Any	Nov. 6-16	Antlerless	Elk Area 5051	10
Boistfort	WF	Any	Nov. 6-16	Antlerless	Elk Area 5054	50
Wildwood	WF	Any	Jan. 16-30	Antlerless	Elk Area 5061	20
Upper Smith Creek	WF	Any	Oct. 25-31	Antlerless	Elk Area 5064	4
Mount Whittier	WF	Any	Oct. 25-31	Antlerless	Elk Area 5065	2
Mudflow	WF	Any	Nov. 8-14	Antlerless	Elk Area 5099	10
Raymond	WF	Any	Dec. 16-31	Antlerless	Elk Area 6010	10
Raymond	WF	Any	Jan. 1-20	Antlerless	Elk Area 6010	5
Raymond	WF	Any	Feb. 1-28	Antlerless	Elk Area 6010	5
North Minot	WF	Any	Oct. 20-31	Antlerless	Elk Area 6067	5
North River	WF	Any	Nov. 8-13	Antlerless	GMU 658	10
Deschutes	WF	Any	Jan. 10-20	Antlerless	GMU 666	10
Williams Creek	WF	Any	Nov. 8-16	Antlerless	GMU 673	50

<b>Antlerless Elk</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Tri Valley	WF	Any	Dec. 1 - Jan. 20	Antlerless	Elk Area 6012	10
Turnbull	EA	Any	Sept. 7-19	Antlerless	Elk Area 1015	14
Dayton	EA	Any	Sept. 1-19	Antlerless	Elk Area 1016	25
Malaga	EA	Any	Sept. 1-7	Antlerless	Elk Area 2032	20
Klickitat Meadows	EA	Any	Oct. 10-21	Antlerless	Elk Area 3068	9
Alkali	EA	Any	Sept. 1-24	Antlerless	GMU 371	5
North Bend	WA	Any	Sept. 7-19	Antlerless	Elk Area 4601	14
Margaret	WA	Any	Sept. 7-19 and Dec. 1-15	Antlerless	GMU 524	35
Toutle	WA	Any	Sept. 7-19 and Dec. 1-15	Antlerless	GMU 556	50
Ethel	WA	Any	Jan. 1-20	Antlerless	Elk Area 5049	10
Newaukum	WA	Any	Aug. 1-15	Antlerless	Elk Area 5050	10
Newaukum	WA	Any	Aug. 16-31	Antlerless	Elk Area 5050	10
Upper Smith Creek	WA	Any	Oct. 9-15	Antlerless	Elk Area 5064	4
Mudflow	WA	Any	Sept. 7-19	Antlerless	Elk Area 5099	10
Lewis River	WA	Any	Nov. 24 - Dec.7	Antlerless	GMU 560	15
Siouxon	WA	Any	Nov. 24 - Dec.7	Antlerless	GMU 572	5
Sherman	EM	Any	Oct. 2-8	Antlerless	GMU 101	10
Kelly Hill	EM	Any	Oct. 2-8	Antlerless	GMU 105	10
Douglas	EM	Any	Oct. 2-8	Antlerless	GMU 108	10
Aladdin	EM	Any	Oct. 2-8	Antlerless	GMU 111	10
Selkirk	EM	Any	Oct. 2-8	Antlerless	GMU 113	10
49 Degrees North	EM	Any	Oct. 2-8 and Dec. 16-31	Antlerless	GMU 117	20
Turnbull	EM	Any	Oct. 2-8	Antlerless	Elk Area 1015	11
Turnbull	EM	Any	Nov. 24 - Dec. 8	Antlerless	Elk Area 1015	11
Dayton	EM	Any	Oct. 2-8	Antlerless	Elk Area 1016	25
Prescott-Blue Creek	EM	Any	Dec. 9 - Jan. 20	Antlerless	GMUs 149, 154	40
Mountain View	EM	Any	Oct. 2-8	Antlerless	Elk Area 1013	10
Lick Creek	EM	Any	Oct. 2-8	Antlerless	GMU 175	15
Peola	EM	Any	Oct. 2-8	Antlerless	GMUs 145, 178	30
Couse	EM	Any	Dec. 1-31	Antlerless	GMU 181	30
Couse	EM	Any	Jan. 1-20	Antlerless	GMU 181	30
Mission	EM	Any	Oct. 1-11	Antlerless	GMU 251	1
Malaga	EM	Any	Oct. 9-21	Antlerless	Elk Area 2032	35
West Bar	EM	Any	Oct. 2-10	Antlerless	GMU 330	5
Taneum	EM	Any	Oct. 2-10	Antlerless	GMU 336	75
Manastash	EM	Any	Oct. 2-10	Antlerless	GMU 340	75
Umtanum	EM	Any	Oct. 2-10	Antlerless	GMU 342	200
Nile	EM	Any	Oct. 2-10	Antlerless	GMU 352	10
Bumping	EM	Any	Oct. 2-10	Antlerless	GMU 356	25
Bethel	EM	Any	Oct. 2-10	Antlerless	GMU 360	10
Cowiche	EM	Any	Oct. 2-10	Antlerless	GMU 368	100
Alkali	EM	Any	Sept. 26 - Oct. 15	Antlerless	GMU 371	10
Teanaway	EM	Any	Dec. 9-17	Antlerless	GMU 335	6
Klickitat Meadows	EM	Any	Oct. 2-10	Antlerless	Elk Area 3068	4
North Bend	WM	Any	Oct. 2-8	Antlerless	Elk Area 4601	10
Stella	WM	Any	Jan. 1-16	Antlerless	GMU 504	75
Toledo	WM	Any	Dec. 8-20	Antlerless	Elk Area 5029	40
Mossyrock	WM	Any	Jan. 1-16	Antlerless	Elk Area 5052	15
Randle	WM	Any	Jan. 1-16	Antlerless	Elk Area 5053	15
Boistfort	WM	Any	Jan. 1-16	Antlerless	Elk Area 5054	50
Willapa Hills	WM	Any	Dec. 8-19	Antlerless	GMU 506	15
Green Mt.	WM	Any	Jan. 1-16	Antlerless	Elk Area 5051	30
Wildwood	WM	Any	Jan. 1-16	Antlerless	Elk Area 5061	30

<b>Antlerless Elk</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Mudflow	WM	Any	Oct. 2-8	Antlerless	Elk Area 5099	10
Winston	WM	Any	Oct. 2-8	Antlerless	GMU 520	45
Margaret	WM	Any	Oct. 2-8	Antlerless	GMU 524	35
Ryderwood	WM	Any	Oct. 2-8	Antlerless	GMU 530	30
Coweeman	WM	Any	Nov. 24 - Dec. 15	Antlerless	GMU 550	45
Yale	WM	Any	Oct. 2-8	Antlerless	GMU 554	40
Yale	WM	Any	Nov. 24 - Dec. 15	Antlerless	GMU 554	35
Toutle	WM	Any	Oct. 2-8	Antlerless	GMU 556	50
Lewis River	WM	Any	Oct. 2-8	Antlerless	GMU 560	50
Washougal	WM	Any	Nov. 24-30	Antlerless	GMU 568	50
Siouxon	WM	Any	Oct. 2-8	Antlerless	GMU 572	15
Wind River	WM	Any	Nov. 24-30	Antlerless	GMU 574	100
West Klickitat	WM	Any	Nov. 24-30	Antlerless	GMU 578	150
Ethel	WM	Any	Aug. 1-15	Antlerless	Elk Area 5049	10
Ethel	WM	Any	Aug. 16-31	Antlerless	Elk Area 5049	10
Newaukum	WM	Any	Jan. 1-20	Antlerless	Elk Area 5050	10
Upper Smith Creek	WM	Any	Oct. 16-24	Antlerless	Elk Area 5064	4
Mount Whittier	WM	Any	Oct. 16-24	Antlerless	Elk Area 5065	2
North Minot	WM	Any	Oct. 2-8	Antlerless	Elk Area 6067	10
Mashel	WM	Any	Jan. 1-15	Antlerless	Elk Area 6054	25
North River	WM	Any	Nov. 25 - Dec. 15	Antlerless	GMU 658	20
Tri Valley	WM	Any	Dec. 16 - Jan. 20	Antlerless	Elk Area 6012	15

<b>Youth - Only youth hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Toledo	WF, WM, WA	Youth	Aug. 1-7	Antlerless	Elk Area 5029	10
Mudflow	WF, WM, WA	Youth	Nov. 22-28	Any elk	Elk Area 5099	3
Mudflow	WF, WM, WA	Youth	Nov. 22-28	Antlerless	Elk Area 5099	4

<b>65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Margaret	WF, WM, WA	65+	Nov. 23-30	Antlerless	GMU 524	10
Toledo	WF, WM, WA	65+	Aug. 15-21	Antlerless	Elk Area 5029	10

<b>Hunters with Disabilities - Only hunters with disabilities may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EF, EM, EA	Hunters w/ Disabilities	Oct. 10-17	Antlerless	Elk Area 1015	6
Observatory	EF, EM	Hunters w/ Disabilities	Oct. 25 - Nov. 7	Any elk	GMUs 340, 342	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	Oct. 1-10	Any elk	GMU 346	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	Nov. 3-7	Antlerless	GMU 346	5
Alkali	EF	Hunters w/ Disabilities	Oct. 16 - Nov. 5	Any elk	GMU 371	5
Corral Canyon	EF, EM, EA	Hunters w/ Disabilities	Sept. 26 - Oct. 3	Any elk	Elk Area 3721	2
Toledo	WF, WM, WA	Hunters w/ Disabilities	Aug. 8-14	Antlerless	Elk Area 5029	10
Ethel	WF, WM, WA	Hunters w/ Disabilities	Nov. 6-16	Antlerless	Elk Area 5049	5
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Oct. 25-31	Antlerless	Elk Area 5099	4
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Sept. 20-26	Any elk	Elk Area 5099	4
Centralia Mine	WF, WM, WA	Hunters w/ Disabilities	Oct. 2-3	Antlerless	Elk Area 6011	3

<b>Hunters with Disabilities - Only hunters with disabilities may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Centralia Mine	WF, WM, WA	Hunters w/ Disabilities	Oct. 9-10	Antlerless	Elk Area 6011	3

**Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned on local situation for each hunt.**

Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EA, EF, EM	Master Hunter	Dec. 10-31	Antlerless	Elk Area 1015	6
Green Mt.	WA, WF, WM	Master Hunter	Jan. 17-30	Antlerless	Elk Area 5051	20
Mossyrock	WA, WF, WM	Master Hunter	Jan. 17-30	Antlerless	Elk Area 5052	10
Randle	WA, WF, WM	Master Hunter	Jan. 17-30	Antlerless	Elk Area 5053	15
Merwin	WA, WF, WM	Master Hunter	Nov. 24 - Dec. 15	Antlerless	Elk Area 5060	7
Merwin	WA, WF, WM	Master Hunter	Jan. 17-30, 2011	Antlerless	Elk Area 5060	7
Pumice Plains	WA, WF, WM	Master Hunter	Oct. 25 - Nov. 2	Antlerless	Elk Area 5063	5
Pumice Plains	WA, WF, WM	Master Hunter	Oct. 18-24	Antlerless	Elk Area 5063	2
Malaga	EA, EF, EM/2nd tag	Master Hunter	Aug. 1 - Mar. 31	Antlerless	Elk Area 2032	100 <sup>HC</sup>
Peshastin	EA, EF, EM/2nd tag	Master Hunter	Aug. 1 - Mar. 31	Antlerless	Elk Area 2033	100 <sup>HC</sup>
Fairview	EA, EF, EM/2nd tag	Master Hunter	Jan. 1 - Feb. 28	Antlerless	Designated Areas in Elk Area 3911	50 <sup>HC</sup>
Rattlesnake Hills	EA, EF, EM/2nd tag	Master Hunter	Aug. 1 - Feb. 28	Antlerless or spike bull	Designated Areas in GMU 372	20 <sup>HC</sup>
North Bend	WA, WF, WM/2nd tag	Master Hunter	Aug. 15 - Mar. 31	Antlerless	Designated Areas in Elk Area 4601	25 <sup>HC</sup>
Skagit River	WA, WM/2nd tag	Master Hunter	Dec. 1 - Feb. 28	Antlerless	Designated Areas in Elk Area 4941	15 <sup>HC</sup>
Cowlitz Valley	WF, WA, WM/2nd tag	Master Hunter	Aug. 1 - Sept. 6	Antlerless	Designated Areas in GMUs 503, 505, 510, 513, 516	15 <sup>HC</sup>
Gray's River	WF, WA, WM/2nd tag	Master Hunter	Aug. 1 - Sept. 6 and Dec. 15 - Feb. 28	Antlerless	Elk Area 5056	15 <sup>HC</sup>
JBH	WF, WA, WM/2nd tag	Master Hunter	Nov. 17 - Feb. 28	Antlerless	Elk Area 5090	20 <sup>HC</sup>
North River	WA, WM/2nd tag	Master Hunter	Dec. 16 - Feb. 28	Antlerless	Designated Areas in GMU 658	10 <sup>HC</sup>
Raymond	WA, WM/2nd tag	Master Hunter	Oct. 1 - Mar. 31	Antlerless	Elk Area 6010	5 <sup>HC</sup>
Dungeness	WA, WM/2nd tag	Master Hunter	Sept. 1 - Feb. 28	Antlerless	Elk Area 6071 north of Hwy 101 only	15 <sup>HC</sup>
Toledo	WF, WA, WM/2nd tag	Master Hunter	Dec. 21-31	Antlerless	Elk Area 5029	35
Toledo	WF, WA, WM/2nd tag	Master Hunter	Aug. 22-28	Antlerless	Elk Area 5029	10
Trout Lake	WF, WA, WM/2nd tag	Master Hunter	Dec. 15-31	Antlerless	Elk Area 5062	3
Trout Lake	WF, WA, WM/2nd tag	Master Hunter	Jan. 1-14, 2011	Antlerless	Elk Area 5062	3
Trout Lake	WF, WA, WM/2nd tag	Master Hunter	Jan. 15-30, 2011	Antlerless	Elk Area 5062	3

\*\*May only hunt on privately owned lands. Must use only archery or legal shotgun (10 or 12 gauge; slugs only).

<sup>HC</sup>This is a damage hunt administered by a WDFW designated hunt coordinator. Successful applicants will be contacted on an as-needed basis to help with specific sites of elk damage on designated landowner's property. Not all successful applicants will be contacted in any given year depending on elk damage activity for that year.

<b>Hunter Education Instructor Incentive Permits</b>
<ul style="list-style-type: none"> <li>- Special elk permits will be allocated through a random drawing to those hunter education instructors that qualify.</li> <li>- Permit hunters must use archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons.</li> <li>- Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.</li> <li>- Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.</li> <li>- Permittees may purchase a second license for use with the permit hunt only.</li> </ul>



Area	Dates	Restrictions	GMUs	Permits
Region 3	All general season and permit seasons established for GMUs included with the permit	Any elk	GMUs 336-368	2
Region 5		Any elk	All 500 series GMUs EXCEPT GMU 522	4
Region 6		Any elk	GMUs 654, 660, 672, 673, 681	1

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-354            2009 Elk special permits.