

**Chapter 220-330 WAC
PERSONAL-USE SHELLFISH**

Last Update: 10/31/23

WAC

220-330-010 Shellfish—Daily limits, size restrictions, and unlawful acts.
220-330-020 Crab, shrimp, crawfish—Gear and gear-related unlawful acts.
220-330-040 Crab—Areas and seasons.
220-330-070 Shrimp—Areas and seasons.
220-330-090 Crawfish, sea urchins, sea cucumbers, goose barnacles, scallops, squid, octopus—Areas and seasons.
220-330-110 Clams other than razor clams, and mussels—Areas and seasons.
220-330-120 Clams, oysters, mussels, scallops, sea urchins, sea cucumbers, squid, octopus—Gear and gear-related unlawful acts.
220-330-140 Oysters—Areas and seasons.
220-330-150 Oysters and clams on private tidelands—Personal use.
220-330-160 Razor clams—Areas and seasons.
220-330-170 Razor clams—Unlawful acts.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-330-030 Personal-use crab pot gear requirements. [Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-030, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 12-23-016 (Order 12-267), § 220-56-318, filed 11/9/12, effective 12/10/12.] Repealed by WSR 20-04-058 (Order 20-19), filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055.

220-330-050 Crab—Unlawful acts—Personal use. [Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-050, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 17-01-085 (Order 16-322), § 220-56-335, filed 12/16/16, effective 1/16/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 12-23-016 (Order 12-267), § 220-56-335, filed 11/9/12, effective 12/10/12. Statutory Authority: RCW 77.12.047. WSR 04-07-009 (Order 04-39), § 220-56-335, filed 3/4/04, effective 5/1/04; WSR 02-08-048 (Order 02-53), § 220-56-335, filed 3/29/02, effective 5/1/02. Statutory Authority: RCW 77.12.040 and 75.08.080. WSR 98-06-031, § 220-56-335, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 95-04-066 (Order 95-10), § 220-56-335, filed 1/30/95, effective 5/1/95; WSR 93-08-034 (Order 93-20), § 220-56-335, filed 3/31/93, effective 5/1/93; WSR 92-11-012 (Order 92-19), § 220-56-335, filed 5/12/92, effective 6/12/92; WSR 88-10-013 (Order 88-15), § 220-56-335, filed 4/26/88; WSR 86-09-020 (Order 86-08), § 220-56-335, filed 4/9/86; WSR 85-07-023 (Order 85-18), § 220-56-335, filed 3/13/85; WSR 80-03-064 (Order 80-12), § 220-56-335, filed 2/27/80, effective 4/1/80.] Repealed by WSR 20-04-058 (Order 20-19), filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055.

220-330-060 Personal-use shrimp pot gear requirements. [Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-060, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 17-01-085 (Order 16-322), § 220-56-317, filed 12/16/16, effective 1/16/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 12-23-016 (Order 12-267), § 220-56-317, filed 11/9/12, effective 12/10/12.] Repealed by WSR 20-04-058 (Order 20-19), filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055.

220-330-080 Shrimp containers. [Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-080, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 06-09-021 (Order 06-67), § 220-56-326, filed 4/11/06, effective 5/12/06; WSR 05-05-035 (Order 05-15), § 220-56-326, filed 2/10/05, effective 5/1/05. Statutory Authority: RCW 75.08.080. WSR 96-05-004 (Order 96-13), § 220-56-326, filed 2/9/96, effective 5/1/96.] Repealed by WSR 20-04-058 (Order 20-19), filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055.

220-330-100 Personal-use crab, shrimp, crawfish—Unlawful acts. [Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-100, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 17-01-085 (Order 16-322), § 220-56-315, filed 12/16/16, effective 1/16/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, and 77.12.047. WSR 14-01-056 (Order 13-301), § 220-56-315, filed 12/12/13, effective 1/12/14. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 12-23-016 (Order 12-267), § 220-56-315, filed 11/9/12, effective 12/10/12. Statutory Authority: RCW 77.12.047. WSR 08-07-003, § 220-56-315, filed 3/5/08, effective 4/5/08; WSR 07-05-051 (Order 07-22), § 220-56-315, filed 2/16/07, effective 3/19/07; WSR 05-12-007 (Order 05-102), § 220-56-315, filed 5/19/05, effective 6/19/05; WSR 05-05-035 (Order 05-15), § 220-56-315, filed 2/10/05, effective 5/1/05; WSR 04-07-009 (Order 04-39), § 220-56-315, filed 3/4/04, effective 5/1/04; WSR 02-19-014 (Order 02-224), § 220-56-315, filed 9/6/02, effective 10/7/02; WSR 02-08-048 (Order 02-53), § 220-56-315, filed 3/29/02, effective 5/1/02; WSR 01-07-024 (Order 01-39), § 220-56-315, filed 3/14/01, effective 4/14/01. Statutory Authority: RCW 75.08.080, 77.12.040. WSR 00-08-038 (Order 00-29), § 220-56-315, filed 3/29/00, effective 5/1/00; WSR 98-06-031, § 220-56-315, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 94-14-069, § 220-56-315, filed 7/1/94, effective 8/1/94; WSR 93-08-034 (Order 93-20), § 220-56-315, filed 3/31/93, effective

5/1/93; WSR 92-11-012 (Order 92-19), § 220-56-315, filed 5/12/92, effective 6/12/92; WSR 89-07-060 (Order 89-12), § 220-56-315, filed 3/16/89; WSR 81-05-027 (Order 81-13), § 220-56-315, filed 2/17/81, effective 4/1/81; WSR 80-03-064 (Order 80-12), § 220-56-315, filed 2/27/80, effective 4/1/80.] Repealed by WSR 20-04-058 (Order 20-19), filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055.

220-330-130 Oysters and scallops—Gear. [Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-130, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 06-09-021 (Order 06-67), § 220-56-375, filed 4/11/06, effective 5/12/06. Statutory Authority: RCW 75.08.080. WSR 97-07-078 (Order 97-53), § 220-56-375, filed 3/19/97, effective 5/1/97; WSR 80-03-064 (Order 80-12), § 220-56-375, filed 2/27/80, effective 4/1/80.] Repealed by WSR 20-04-058 (Order 20-19), filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055.

220-330-180 Squid, octopus. [Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-180, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 17-01-085 (Order 16-322), § 220-56-390, filed 12/16/16, effective 1/16/17. Statutory Authority: RCW 77.04.012 and 77.12.047. WSR 13-19-007 (Order 13-221), § 220-56-390, filed 9/5/13, effective 10/6/13. Statutory Authority: RCW 77.12.047. WSR 06-09-021 (Order 06-67), § 220-56-390, filed 4/11/06, effective 5/12/06; WSR 04-17-098 (Order 04-218), § 220-56-390, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 95-04-066 (Order 95-10), § 220-56-390, filed 1/30/95, effective 5/1/95; WSR 94-14-069, § 220-56-390, filed 7/1/94, effective 8/1/94; WSR 93-08-034 (Order 93-20), § 220-56-390, filed 3/31/93, effective 5/1/93; WSR 83-07-043 (Order 83-16), § 220-56-390, filed 3/17/83; WSR 82-07-047 (Order 82-19), § 220-56-390, filed 3/18/82; WSR 80-03-064 (Order 80-12), § 220-56-390, filed 2/27/80, effective 4/1/80.] Repealed by WSR 20-04-058 (Order 20-19), filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055.

WAC 220-330-010 Shellfish—Daily limits, size restrictions, and unlawful acts. It is unlawful for any one person to possess more than one daily limit of fresh shellfish while in the field or in transit. Additional shellfish may be possessed in a frozen or processed form. It is unlawful for any one person to take more than the following quantities of shellfish in any one day for personal use, or take or possess shellfish that measure less than the caliper measurement described in this section. Caliper measurement is defined as a linear measurement when both points of a movable caliper are touching the shell of the shellfish. A fixed caliper gauge is the linear distance between points of the caliper gauge or the diameter of a circular gauge.

(1) **Marine clams:**

(a) **Clams** (not including razor clams, geoduck clams and horse clams):

(i) Daily limit is 40 clams total, not to exceed 10 pounds in the shell.

(ii) Minimum size for Manila, native littleneck, butter clams, and cockles is 1 1/2 inches across the widest dimension of the shell.

(b) **Geoduck clams:**

(i) Daily limit is first 3 clams dug, regardless of size or condition. Broken clams count towards daily limit. No minimum size limit.

(ii) It is unlawful to maim, injure or attempt to capture a geoduck by thrusting any instrument through its siphon or to possess only the siphon or neck portion of a geoduck.

(c) **Horse clams:** Daily limit is first 7 clams dug, regardless of size or condition. Broken clams count towards daily limit. No minimum size limit.

(d) **Razor clams:** Daily limit is 15 clams. No minimum size limit.

(e) It is unlawful for any person digging clams (other than razor clam) for personal use to fail to refill holes created during the digging operation. Beach terrain must be returned to its approximate original condition by the clam diggers before leaving immediate site of harvest. Violation of provisions of this subsection is an infraction punishable under RCW 77.15.160.

(f) **Relic shells:** No license or permit is required to take or possess up to 5 pounds of relic shells per day. It is unlawful to take or possess more than 5 pounds of relic shells from public tidelands without first obtaining a scientific collection permit. Notwithstanding the provisions of this section, it is unlawful to remove relic oyster shells from public tidelands.

(2) **Crab:**

(a) **General provisions:**

(i) All crab measurements must be made at the widest part of the shell (carapace) immediately in front of the points (tips) on the carapace.

(ii) It is unlawful to possess in the field any crab or crab parts without also retaining the back shell of each crab.

(iii) It is unlawful for any person to take or possess any female Dungeness crab.

(iv) It is unlawful to possess soft-shelled crab for any purpose. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(b) **Dungeness crab:**

(i)(A) In Marine Area 1 (except when fishing from the north jetty of the Columbia River), Marine Areas 2, 3, and 4 west of the Bonilla-Tatoosh line (Coastal waters): Daily limit is 6 male crab.

(B) Minimum size limit is 6 inches.

(ii)(A) In the Columbia River upstream of a line from the outermost end of the north jetty to the exposed end of the south jetty, and when fishing from the north jetty of the Columbia River: Daily limit is 12 male crab.

(B) Minimum size limit is 5 3/4 inches.

(iii)(A) In Marine Area 4 east of the Bonilla-Tatoosh line, and Marine Areas 5, 6, 7, 8, 9, 10, 11, 12, and 13 (Puget Sound): Daily limit is 5 male crab.

(B) Minimum size limit is 6 1/4 inches.

(c) **Red rock crab:**

(i) Daily limit is 6 crab. Either sex may be retained.

(ii) Minimum size limit is 5 inches.

(d) **King and box crab:** Closed in all waters.

(e) **Tanner crab:**

(i) Daily limit is 6 crab. Either sex may be retained.

(ii) Minimum size limit is 4 1/2 inches.

(3) **Crawfish:**

(a) Daily limit is 10 pounds, whole crawfish in the shell.

(b) Minimum size limit 3 1/4 inches from tip of rostrum to tip of tail.

(c) Female crawfish with eggs or young attached to the abdomen must be released immediately.

(d) Take or possession of crawfish must also comply with provisions of chapter 220-640 WAC.

(4) **Goose barnacles:** Daily limit is 10 pounds of whole barnacles in the shell or 5 pounds of barnacle stalks. No minimum size limit.

(5) **Mussels:** Daily limit is 10 pounds in the shell, all species in the aggregate. No minimum size limit.

(6) **Octopus:** Daily limit is one octopus. No minimum size limit.

(7) **Oysters:**

(a) Daily limit is 18 oysters.

(b) Minimum size limit before shucking is 2 1/2 inches along the widest dimension of the shell. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(c) Oysters taken for personal use must be shucked before removing oysters from the intertidal zone and the shells replaced on the tidelands at the approximate tide level from which original was taken. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(8) **Scallops:**

(a) **Rock scallops:**

(i) Daily limit is 6 scallops.

(ii) Minimum size limit is 4 inches. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(b) **Pink and spiny scallops:**

(i) Combined daily limit is 40 scallops in the shell.

(ii) Minimum size limit is 2 inches. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(c) **Weathervane scallops:**

(i) Daily limits is 12 scallops.

(ii) Minimum size limit is 4 inches.

(9) **Sea cucumbers:** Daily limit is 18 California sea cucumbers. No minimum size limit.

(10) **Sea urchins:**

(a) **Red sea urchins:**

(i) Daily limit is 18 red sea urchins.

(ii) Minimum size limit 3 1/4 inch shell diameter exclusive of the spines. Maximum size limit is 5 inch shell diameter exclusive of the spines. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(b) **Purple sea urchins:**

(i) Daily limit is 18 purple sea urchins.

(ii) Minimum size limit is 2 1/4 inch shell diameter exclusive of the spines.

(c) **Green sea urchins:**

(i) Daily limit is 18 green sea urchins.

(ii) Minimum size limit is 2 1/4 inch shell diameter exclusive of the spines.

(11) **Shrimp:**

(a) In Marine Areas 1, 2, and 3 and Marine Area 4 west of the Bonilla-Tatoosh line: Daily total weight limit is 25 pounds, maximum of 200 spot shrimp as part of the 25-pound limit.

(b)(i) In Marine Area 4 east of the Bonilla-Tatoosh line and Marine Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13: Daily limit is 80 spot shrimp; with a total daily weight limit of 10 pounds (whole shrimp) all species combined.

(ii) If retaining nonspot shrimp, all shrimp heads (spot and non-spot) must be retained in the field until ashore and finished fishing for the day.

(c) **Ghost and mud shrimp:** Daily limit is 120 shrimp.

(12) **Squid:**

(a) **Humboldt squid:** 1 squid. No minimum size limit.

(b) **All other species of squid:** Daily limit is 10 pounds or 5 quarts of squid. No minimum size limit.

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047. WSR 22-05-066 (Order 22-06), § 220-330-010, filed 2/11/22, effective 7/1/22. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-04-058 (Order 20-19), § 220-330-010, filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR

17-05-112 (Order 17-04), recodified as § 220-330-010, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 17-01-085 (Order 16-322), § 220-56-310, filed 12/16/16, effective 1/16/17. Statutory Authority: RCW 77.04.012 and 77.12.047. WSR 13-19-007 (Order 13-221), § 220-56-310, filed 9/5/13, effective 10/6/13. Statutory Authority: RCW 77.12.047. WSR 10-07-105 (Order 10-64), § 220-56-310, filed 3/19/10, effective 5/1/10; WSR 08-07-003, § 220-56-310, filed 3/5/08, effective 4/5/08; WSR 06-05-085 (Order 06-23), § 220-56-310, filed 2/14/06, effective 5/1/06; WSR 05-12-007 (Order 05-102), § 220-56-310, filed 5/19/05, effective 6/19/05; WSR 05-05-035 (Order 05-15), § 220-56-310, filed 2/10/05, effective 5/1/05; WSR 04-17-088 (Order 04-217), § 220-56-310, filed 8/16/04, effective 9/16/04; WSR 04-07-009 (Order 04-39), § 220-56-310, filed 3/4/04, effective 5/1/04; WSR 02-08-048 (Order 02-53), § 220-56-310, filed 3/29/02, effective 5/1/02. Statutory Authority: RCW 75.08.080, 77.12.040. WSR 00-08-038 (Order 00-29), § 220-56-310, filed 3/29/00, effective 5/1/00; WSR 99-15-081 (Order 99-102), § 220-56-310, filed 7/20/99, effective 8/20/99; WSR 99-08-029 (Order 99-13), § 220-56-310, filed 3/30/99, effective 5/1/99; WSR 98-06-031, § 220-56-310, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 97-07-078 (Order 97-53), § 220-56-310, filed 3/19/97, effective 5/1/97; WSR 95-04-066 (Order 95-10), § 220-56-310, filed 1/30/95, effective 5/1/95; WSR 93-08-034 (Order 93-20), § 220-56-310, filed 3/31/93, effective 5/1/93; WSR 92-11-012 (Order 92-19), § 220-56-310, filed 5/12/92, effective 6/12/92; WSR 90-06-026, § 220-56-310, filed 2/28/90, effective 3/31/90; WSR 89-07-060 (Order 89-12), § 220-56-310, filed 3/16/89; WSR 88-12-025 (Order 88-28), § 220-56-310, filed 5/25/88, effective 8/22/88; WSR 88-10-013 (Order 88-15), § 220-56-310, filed 4/26/88; WSR 87-09-066 (Order 87-16), § 220-56-310, filed 4/21/87; WSR 86-24-046 (Order 86-190), § 220-56-310, filed 11/26/86; WSR 86-09-020 (Order 86-08), § 220-56-310, filed 4/9/86; WSR 85-12-046 (Order 85-57), § 220-56-310, filed 6/5/85; WSR 84-09-026 (Order 84-22), § 220-56-310, filed 4/11/84; WSR 83-04-027 (Order 83-06), § 220-56-310, filed 1/27/83; WSR 82-07-047 (Order 82-19), § 220-56-310, filed 3/18/82; WSR 80-03-064 (Order 80-12), § 220-56-310, filed 2/27/80, effective 4/1/80.]

WAC 220-330-020 Crab, shrimp, crawfish—Gear and gear-related unlawful acts. General gear requirements:

(1) It is unlawful to take, fish for, or possess crab, shrimp, and crawfish except by hand or with hand dip nets, ring nets, shellfish pots, or any hand-operated, nonmechanized instrument. It is unlawful to harvest shellfish in any manner that penetrates the shell.

(2) It is unlawful to set, fish, or pull more than 2 units of gear per person per day, unless otherwise provided in this subsection. A unit of gear is defined as a hand dip net, shellfish pot, ring net or any other instrument used to capture crab, shrimp, or crawfish. A violation of this subsection is punishable under RCW 77.15.160, 77.15.380, or 77.15.370, depending on the circumstances of the violation.

(a) In Marine Area 4 east of the Bonilla-Tatoosh line and Marine Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13 (Puget Sound), it is unlawful to set, fish, or pull more than 2 units of crab gear and 2 additional units of shrimp gear per person per day.

(b) In Marine Areas 4, 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13, it is unlawful for the operator of any boat from which shrimp pots are set, fished, or pulled to have on board or to fish more than 4 shrimp pots.

(c) In the Columbia River, it is unlawful to set, fish, or pull more than 3 units of crab gear per person.

(d) In fresh water, it is permissible to use up to 5 units of gear per person to fish for crawfish.

(3) It is unlawful to violate the following provisions regarding unattended shellfish gear:

(a)(i) Unattended shellfish gear must be marked with a buoy that permanently, visibly, and legibly lists the first and last name and permanent mailing address of the owner.

(ii) Only one person's name and address may appear on a marker buoy.

(b) All buoys must consist of durable material. It is unlawful to use bleach, antifreeze or detergent bottles, paint cans, or any other container as a buoy.

(c) Buoys must remain visible on the surface at all times, except during extreme tidal conditions, or unless otherwise authorized under a permit issued by the director.

(d) Fishers shall use only the amount of line reasonably necessary to compensate for tides, currents, and weather.

(e) The line attaching a buoy to shellfish gear must be weighted sufficiently to prevent the line from floating on the water's surface.

(f) It is unlawful to use gear that has one or more line marks or to use multicolor line consistent with requirements for any other state or federally managed commercial fishery operating in the U.S. West Coast Exclusive Economic Zone, or in the state waters of Washington, Oregon, or California.

(g) Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(4) It is unlawful to have more than one unit of unattended gear attached to a buoy line and buoy, or to fail to have a separate buoy for each unit of gear. A violation of this subsection is a misdemeanor, punishable under RCW 77.15.382 Unlawful use of shellfish gear for personal-use purposes—Penalty.

(5) It is unlawful for any person to operate a shellfish pot not attached to a buoy bearing that person's name, except that a second person may assist the pot owner in operation of the gear. A violation of this subsection is a misdemeanor, punishable under RCW 77.15.180 Unlawful interference with fishing or hunting gear—Penalty.

(6) It is unlawful to fish for or possess shellfish taken for personal use with shellfish pot gear unless the gear allows for escapement using at least one of the following methods:

(a) Attachment of pot lid hooks or tiedown straps with a single strand or loop of untreated, 100 percent cotton twine, hemp, jute, or sisal no larger than thread size 120 so that the pot lid will open freely if the twine or fiber is broken.

(b) An opening in the pot mesh no less than 3 inches by 5 inches which is laced or sewn closed with untreated, 100 percent cotton twine, hemp, jute, or sisal no larger than thread size 120. The opening must be located within the top half of the pot and be unimpeded by the entry tunnels, bait boxes, or any other structures or materials.

(c) Attachment of pot lid or one pot side serving as a pot lid with no more than 3 single loops of untreated 100 percent cotton,

hemp, jute, or sisal no larger than thread size 120 so that the pot lid or side will open freely if the twine or fiber is broken.

(d) Use of gear in violation of this subsection is an infraction, punishable under RCW 77.15.160.

(7) It is unlawful to set shellfish pots in a manner that they are not covered by water at all times. Use of gear in violation of this subsection is an infraction, punishable under RCW 77.15.160.

(8) Gear setting and retrieval:

(a) It is unlawful to fish, or place or retrieve gear outside of open days and hours.

(b) It is unlawful to fail to remove gear prior to the closure of a fishery.

(c) It is unlawful to fail to remove gear from the water within one hour after sunset if fishing is not allowed on the next calendar day.

(d) In waters that are open continuously, shellfish gear may be left in the water overnight, but may not be set or pulled from a vessel from one hour after official sunset to one hour before official sunrise in Marine Area 4 east of the Bonilla-Tatoosh line and Marine Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13.

(9) Crab pot gear requirements:

(a) All buoys attached to crab gear must be half red or half fluorescent red in color and half white in color. Flags and staff, if attached, may be any color. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(b) It is unlawful to fish for crab using shellfish pot gear greater than 13 cubic feet in volume.

(c) It is unlawful to fish for or possess crab taken with shellfish pot gear that are equipped with tunnel triggers or other devices which prevent free exit of crabs under the legal limit unless the gear is equipped with 2 or more escape rings located in the upper half of the pot and escape rings are 4 1/4 inches inside diameter or larger, except in the Columbia River where escape ring minimum size is 4 inches inside diameter.

(d) It is unlawful to use mesh size smaller than 1 1/2 inches for crab pots.

(e) Unless otherwise designated, a violation of this subsection is a violation of RCW 77.15.382. Possession of crab while using gear in violation of the provisions of this section is a rebuttable presumption that the crab were taken with such gear.

(10) Shrimp pot gear requirements:

(a) All buoys attached to shrimp gear must be solid yellow or solid fluorescent yellow in color. Flags and staff, if attached, may be any color. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(b) It is unlawful to take, fish for, or possess shrimp taken with shellfish pot gear unless the gear meets the following requirements:

(i) A shrimp pot may not exceed 10 feet in perimeter and 1 1/2 feet in height.

(ii) The entire top, bottom, and sides of the shrimp pot must be constructed of mesh material. Use of liners is prohibited.

(iii) Shrimp pot minimum mesh size:

(A) Year-round, Marine Areas 1, 2, 3, and 4 west of the Bonilla-Tatoosh line and shoreward of 20 fathoms, the minimum mesh size for shrimp pots is 1/2 inch. Seaward of 20 fathoms, the minimum mesh size for shrimp pots is 1 inch.

(B) May 1 through October 15, Marine Area 4 east of the Bonilla-Tatoosh line, and Marine Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13, the minimum mesh size for shrimp pots is 1 inch, with the following exception: June 1 through October 15, in any Marine Area or portion thereof that is closed for spot shrimp but open for coonstripe and pink shrimp, the minimum mesh size for shrimp pots is 1/2 inch.

(C) Half-inch mesh is defined as mesh that a 3/8 inch square peg will pass through each mesh opening; flexible (web) mesh pots must have mesh size openings that are a minimum of 1 1/8 inch stretch measure.

(D) One inch mesh is defined as a mesh that a 7/8 inch square peg will pass through each mesh opening; flexible (web) mesh pots must have mesh size openings that are a minimum of 1 3/4 inch stretch measure.

(iv) Entrance tunnels to shrimp pots may be constructed of any size mesh material. All entrance tunnels must open into the pot from the side. The sum of the maximum widths of all entrance tunnel openings must not exceed half of the perimeter of the bottom of the pot.

(v) Unless otherwise designated, a violation of this subsection is a violation of RCW 77.15.382. Possession of shrimp while using gear in violation of the provisions of this section is a rebuttable presumption that the shrimp were taken with such gear.

(c) In the field, it is unlawful for each person harvesting shrimp to fail to use a separate container to hold their catch and the container must be in the harvester's presence or identified with the harvester's name. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(d) It is unlawful to dig for or possess ghost or mud shrimp taken by any method except hand operated, nonmechanized suction devices or dug by hand.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 23-22-110 (Order 2023-10), § 220-330-020, filed 10/31/23, effective 12/1/23. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-04-058 (Order 20-19), § 220-330-020, filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-020, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 12-23-016 (Order 12-267), § 220-56-320, filed 11/9/12, effective 12/10/12. Statutory Authority: RCW 77.12.047. WSR 08-07-003, § 220-56-320, filed 3/5/08, effective 4/5/08; WSR 06-09-021 (Order 06-67), § 220-56-320, filed 4/11/06, effective 5/12/06; WSR 06-05-085 (Order 06-23), § 220-56-320, filed 2/14/06, effective 5/1/06; WSR 05-05-035 (Order 05-15), § 220-56-320, filed 2/10/05, effective 5/1/05; WSR 03-05-057 (Order 03-24), § 220-56-320, filed 2/14/03, effective 5/1/03; WSR 01-06-036 (Order 01-24), § 220-56-320, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080 and 77.12.040. WSR 99-08-029 (Order 99-13), § 220-56-320, filed 3/30/99, effective 5/1/99; WSR 98-06-031, § 220-56-320, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 97-07-078 (Order 97-53), § 220-56-320, filed 3/19/97, effective 5/1/97; WSR 94-14-069, § 220-56-320, filed 7/1/94, effective 8/1/94; WSR 93-08-034 (Order 93-20), § 220-56-320, filed 3/31/93, effective 5/1/93; WSR 92-11-012 (Order 92-19), § 220-56-320, filed 5/12/92, effective 6/12/92; WSR 90-06-026, § 220-56-320, filed 2/28/90, effective 3/31/90; WSR 89-07-060 (Order 89-12), § 220-56-320,

filed 3/16/89; WSR 88-12-025 (Order 88-28), § 220-56-320, filed 5/25/88, effective 8/22/88; WSR 87-09-066 (Order 87-16), § 220-56-320, filed 4/21/87; WSR 85-09-017 (Order 85-20), § 220-56-320, filed 4/9/85; WSR 84-09-026 (Order 84-22), § 220-56-320, filed 4/11/84; WSR 82-07-047 (Order 82-19), § 220-56-320, filed 3/18/82; WSR 81-05-027 (Order 81-13), § 220-56-320, filed 2/17/81, effective 4/1/81; WSR 80-03-064 (Order 80-12), § 220-56-320, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-088.]

WAC 220-330-040 Crab—Areas and seasons. (1) It is unlawful to fish for or possess crab taken for personal use from Puget Sound except during the following seasons:

(a) Marine Area 4 east of the Bonilla-Tatoosh line, and Marine Areas 5, 6, 8-1, 8-2, 9, 10, 11, 12, and 13: Open 7:00 a.m., July 1 through Labor Day, Thursday through Monday of each week.

(b) Those waters of Marine Area 7 south and west of a line projected from Village Point, Lummi Island (48° 43.038'N, 122° 43.127'W), through the navigation buoy just east of Matia Island (48° 44.610'N, 122° 48.961'W), thence to the buoy at Clements Reef (48° 46.659'N, 122° 53.481'W), thence to the easternmost point of Patos Island (48° 47.123'N, 122° 56.441'W), thence running along the northern shore of Patos Island to the westernmost point of Patos Island (48° 47.355'N, 122° 58.308'W), thence true west to the international boundary and south of a line that extends south-southwest from Point Francis on Portage Island (48° 41.627'N, 122° 37.013'W), through the marker just north of Inati Bay on Lummi Island (48° 40.467'N, 122° 37.234'W) to Lummi Island (48° 40.331'N, 122° 37.262'W): Open 7:00 a.m., July 15 through September 30, Thursday through Monday of each week.

(c) Those waters of Marine Area 7 north and east of a line projected from Village Point, Lummi Island (48° 43.038'N, 122° 43.127'W), through the navigation buoy just east of Matia Island (48° 44.610'N, 122° 48.961'W), thence to the buoy at Clements Reef (48° 46.659'N, 122° 53.481'W), thence to the easternmost point of Patos Island (48° 47.123'N, 122° 56.441'W), thence running along the northern shore of Patos Island to the westernmost point of Patos Island (48° 47.355'N, 122° 58.308'W), thence true west to the international boundary and south of a line that extends south-southwest from Point Francis on Portage Island (48° 41.627'N, 122° 37.013'W), through the marker just north of Inati Bay on Lummi Island (48° 40.467'N, 122° 37.234'W) to Lummi Island (48° 40.331'N, 122° 37.262'W): Open 7:00 a.m. August 15 through September 30, Thursday through Monday of each week.

(2) It is unlawful to fish for or possess crab taken for personal use with shellfish pot gear from Marine Areas 1, 2, 3, and Marine Area 4 west of the Bonilla-Tatoosh line except during the period from December 1 through September 15, except that it is lawful to fish for or possess crab taken for personal use with shellfish pot gear from Marine Area 2-1 (Willapa Bay) from November 15 through September 15. Open to gear other than shellfish pot gear year-round.

(3) The Columbia River upstream from a line projected from the outermost end of the north jetty to the exposed end of the south jetty is open year-round to crab fishing for personal use.

(4) It is unlawful to fish for or possess crab taken for personal use with shellfish pot or ring net gear from the waters of Padilla Bay or Swinomish Slough within 25 yards of the railroad crossing the

northern end of Swinomish Slough except from one hour before official sunrise to one hour after official sunset.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-04-058 (Order 20-19), § 220-330-040, filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.040.020 [77.04.020], 77.12.045, and 77.12.047. WSR 18-22-010 (Order 18-305), § 220-330-040, filed 10/25/18, effective 11/25/18. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-040, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 17-01-085 (Order 16-322), § 220-56-330, filed 12/16/16, effective 1/16/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 12-23-016 (Order 12-267), § 220-56-330, filed 11/9/12, effective 12/10/12. Statutory Authority: RCW 77.04.012, 77.12.045, and 77.12.047. WSR 11-09-016 (Order 11-29), § 220-56-330, filed 4/11/11, effective 5/12/11. Statutory Authority: RCW 77.12.047. WSR 10-07-105 (Order 10-64), § 220-56-330, filed 3/19/10, effective 5/1/10; WSR 05-12-007 (Order 05-102), § 220-56-330, filed 5/19/05, effective 6/19/05; WSR 05-05-035 (Order 05-15), § 220-56-330, filed 2/10/05, effective 5/1/05; WSR 04-07-009 (Order 04-39), § 220-56-330, filed 3/4/04, effective 5/1/04; WSR 01-06-036 (Order 01-24), § 220-56-330, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080, 77.12.040. WSR 00-08-038 (Order 00-29), § 220-56-330, filed 3/29/00, effective 5/1/00; WSR 99-08-029 (Order 99-13), § 220-56-330, filed 3/30/99, effective 5/1/99; WSR 98-06-031, § 220-56-330, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 97-07-078 (Order 97-53), § 220-56-330, filed 3/19/97, effective 5/1/97; WSR 96-11-078 (Order 96-44), § 220-56-330, filed 5/13/96, effective 6/13/96; WSR 93-08-034 (Order 93-20), § 220-56-330, filed 3/31/93, effective 5/1/93; WSR 90-06-026, § 220-56-330, filed 2/28/90, effective 3/31/90; WSR 86-09-020 (Order 86-08), § 220-56-330, filed 4/9/86; WSR 85-09-017 (Order 85-20), § 220-56-330, filed 4/9/85; WSR 84-09-026 (Order 84-22), § 220-56-330, filed 4/11/84; WSR 80-03-064 (Order 80-12), § 220-56-330, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

WAC 220-330-070 Shrimp—Areas and seasons. It is unlawful to fish for or possess shrimp taken for personal use from the following areas, except as otherwise provided in this section:

(1) It is unlawful to fish for or possess shrimp taken for personal use in Marine Area 4 east of the Bonilla-Tatoosh line and Marine Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13.

(2) Marine Areas 1 through 3 and Marine Area 4 west of the Bonilla-Tatoosh line - Open year-round.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-04-058 (Order 20-19), § 220-330-070, filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-070, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 17-01-085 (Order 16-322), § 220-56-325, filed 12/16/16, effective 1/16/17. Statutory Authority: RCW 77.12.047. WSR 07-05-051 (Order 07-22), § 220-56-325, filed 2/16/07, effective 3/19/07; WSR 06-05-085 (Order

06-23), § 220-56-325, filed 2/14/06, effective 5/1/06; WSR 05-05-035 (Order 05-15), § 220-56-325, filed 2/10/05, effective 5/1/05; WSR 04-07-009 (Order 04-39), § 220-56-325, filed 3/4/04, effective 5/1/04; WSR 03-05-057 (Order 03-24), § 220-56-325, filed 2/14/03, effective 5/1/03; WSR 01-06-036 (Order 01-24), § 220-56-325, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080 and 77.12.040. WSR 99-15-081 (Order 99-102), § 220-56-325, filed 7/20/99, effective 8/20/99; WSR 98-06-031, § 220-56-325, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 97-07-078 (Order 97-53), § 220-56-325, filed 3/19/97, effective 5/1/97; WSR 96-05-004 (Order 96-13), § 220-56-325, filed 2/9/96, effective 5/1/96; WSR 93-08-034 (Order 93-20), § 220-56-325, filed 3/31/93, effective 5/1/93; WSR 89-07-060 (Order 89-12), § 220-56-325, filed 3/16/89; WSR 86-09-020 (Order 86-08), § 220-56-325, filed 4/9/86; WSR 84-09-026 (Order 84-22), § 220-56-325, filed 4/11/84; WSR 80-03-064 (Order 80-12), § 220-56-325, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-084.]

WAC 220-330-090 Crawfish, sea urchins, sea cucumbers, goose barnacles, scallops, squid, octopus—Areas and seasons. It is unlawful to fish for personal use for crawfish, sea urchins, sea cucumbers, goose barnacles, and scallops except in the following areas and seasons:

- (1) **Crawfish:** Open in all waters from the first Monday in May through October 31.
- (2) **Sea cucumbers:** Open July 1 through the last day in February in all waters, except in the following closed areas:
 - (a) All waters of Marine Area 12.
 - (b) All waters of Marine Area 8-1.
 - (c) All waters of Marine Area 8-2.
 - (d) All waters of Marine Area 10.
 - (e) Those waters of Marine Area 9 south of a line projected from Foulweather Bluff (47° 56.4'N, 122° 36.726'W) to Double Bluff (47° 58.054'N, 122° 32.78'W).
 - (f) Those waters of San Juan Channel and Upright Channel within the following lines: North and west of a line from the northernmost point of Turn Island on San Juan Island (48° 32.146'N, 122° 58.279'W) to Flat Point on Lopez Island (48° 33.060'N, 122° 55.181'W) and then projected from Flat Point true west to Shaw Island (48° 33.062'N, 122° 56.509'W) north of a line projected from the northernmost point of Turn Island (48° 32.146'N, 122° 58.279'W) true west to San Juan Island (48° 32.146'N, 122° 59.033'W) west of a line from Neck Point on Shaw Island (48° 35.233'N, 123° 0.744'W) to Steep Point on Orcas Island (48° 36.559'N, 123° 1.387'W) and south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island (48° 37.348'N, 123° 6.450'W).
 - (g) Those waters of Haro Strait north of a line projected true west from the southernmost point of Cattle Point on San Juan Island (48° 27.006'N, 122° 57.818'W) to the international border and south of a line projected true west from a point 1/4 mile north of Lime Kiln Light on San Juan Island (48° 31.202'N, 123° 9.162'W) to the international border.
 - (h) Argyle Lagoon: Those University of Washington-owned tidelands and all bedlands enclosed by the inner spit of Argyle Lagoon on San Juan Island.
 - (i) Those waters within 1/4 mile of Tatoosh Island.

(j) Those waters of the Strait of Juan de Fuca in the vicinity of Low Point west of a line projected true north from the shoreline at 123° 48.3'W longitude to the international border, and east of a line projected true north from the shoreline at 123° 52.7'W longitude to the international border at 123° 52.7'W longitude.

(k) Those waters of Eagle Harbor west of a line projected from Wing Point (47° 37.241'N, 122° 29.535'W) to Eagle Harbor Creosote Light Number 1 (47° 36.975'N, 122° 29.792'W), then projected true west to the shore on Bainbridge Island (47° 36.975'N, 122° 29.977'W).

(l) The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner (47° 33.886'N, 122° 37.397'W) to landfall directly below the Kitsap Transit foot ferry terminal in Annapolis (47° 32.868'N, 122° 36.973'W).

(m) All waters of Hale Passage and Wollochet Bay within the following lines: West and north of a line starting at Point Fosdick following longitude 122° 35'W southward to latitude 47° 14'; then true west to Fox Island, and east and north of a line starting at Green Point following longitude 122° 41'W southward to latitude 47° 16.5'N; then true east to Fox Island.

(3) **Sea urchins:** Open year-round in all waters, except in the following closed areas:

(a) All waters of Marine Area 12.

(b) Those waters of San Juan Channel and Upright Channel within the following lines: North and west of a line from the northernmost point of Turn Island on San Juan Island (48° 32.146'N, 122° 58.279'W) to Flat Point on Lopez Island (48° 33.060'N, 122° 55.181'W), and then projected from Flat Point true west to Shaw Island (48° 33.062'N, 122° 56.509'W) north of a line projected from the northernmost point of Turn Island (48° 32.146'N, 122° 58.279'W) true west to San Juan Island (48° 32.146'N, 122° 59.033'W) west of a line from Neck Point on Shaw Island (48° 35.233'N, 123° 0.744'W) to Steep Point on Orcas Island (48° 36.559'N, 123° 1.387'W) and south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island (48° 37.348'N, 123° 6.450'W).

(c) Those waters of Haro Strait north of a line projected true west from the southernmost point of Cattle Point on San Juan Island (48° 27.006'N, 122° 57.818'W) to the international border and south of a line projected true west from a point 1/4 mile north of Lime Kiln Light on San Juan Island (48° 31.202'N, 123° 9.162'W) to the international border.

(d) Argyle Lagoon: Those University of Washington-owned tidelands and all bedlands enclosed by the inner spit of Argyle Lagoon on San Juan Island.

(e) Those waters within 1/4 mile of Tatoosh Island.

(f) Those waters of the Strait of Juan de Fuca in the vicinity of Low Point west of a line projected true north from the shoreline at 123° 48.3'W longitude to the international border, and east of a line projected true north from the shoreline at 123° 52.7'W longitude to the international border at 123° 52.7'W longitude.

(g) Those waters of Eagle Harbor west of a line projected from Wing Point (47° 37.241'N, 122° 29.535'W) to Eagle Harbor Creosote Light Number 1 (47° 36.975'N, 122° 29.792'W), then projected true west to the shore on Bainbridge Island (47° 36.975'N, 122° 29.977'W).

(h) The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner (47° 33.886'N, 122° 37.397'W) to landfall directly below the Kitsap Transit foot ferry terminal in Annapolis (47° 32.868'N, 122° 36.973'W).

(i) All waters of Hale Passage and Wollochet Bay within the following lines: West and north of a line starting at Point Fosdick following longitude 122° 35'W southward to latitude 47° 14'; then true west to Fox Island, and east and north of a line starting at Green Point following longitude 122° 41'W southward to latitude 47° 16.5'N; then true east to Fox Island.

(4) **Goose barnacles:**

(a) In Marine Area 4 east of the Bonilla-Tatoosh line, and Marine Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13 (Puget Sound), open year-round.

(b) In Marine Areas 1, 2, and 3 and Marine Area 4 west of the Bonilla-Tatoosh line (outside of Olympic National Park), open November 1 through March 31 only.

(5) **Scallops:** Open in all waters year-round.

(6) **Squid:** Open in all waters year-round.

(7) **Octopus:** Open year-round in all waters, except that is unlawful to take octopus in Marine Area 12 and from the following closed areas:

(a) **Redondo Beach.** Redondo Beach is defined as the waters, bedlands, and tidelands within the area described by a line starting from shore at 47° 20.927'N, 122° 19.462'W; then northwesterly to 47° 20.947'N, 122° 19.513'W; then to 47° 20.955'N, 122° 19.564'W; then northeasterly to 47° 21.039'N, 122° 19.496'W; then returning to shore at 47° 21.011'N, 122° 19.42'W.

(b) **Three Tree Point.** Three Tree Point is defined as the waters, bedlands, and tidelands within the area described by a line starting from shore at 47° 27.108'N, 122° 22.811'W; then northwesterly to 47° 27.255'N, 122° 22.948'W; then northeasterly to 47° 27.425'N, 122° 22.617'W; then returning to shore at 47° 27.278'N, 122° 22.461'W.

(c) **Alki Beach Seacrest Coves 1, 2, and 3.** Alki Beach Seacrest Coves 1, 2, and 3 are defined as the waters, bedlands, and tidelands within the area described by a line starting from shore at 47° 35.216'N, 122° 22.622'W; then northeasterly and offshore to 47° 35.268'N, 122° 22.560'W; then northwesterly to 47° 35.492'N, 122° 23.87'W; then returning to shore at 47° 35.480'N, 122° 23.905'W. This area does not include waters within 150 feet of the Seacrest Public Fishing Pier, as demarcated at the surface with buoys and on the sea floor by a perimeter line.

(d) **Les Davis.** Les Davis is defined as the waters, bedlands, and tidelands within the area described by a line starting from shore at 47° 17.086'N, 122° 29.120'W; the northeasterly to 47° 17.176'N, 122° 29.016'W; then southeasterly to 47° 17.115'N, 122° 28.902'W; then returning to shore at 47° 17.025'N, 122° 29.003'W.

(e) **Alki Beach Junk Yard.** Alki Beach Junk Yard is defined as the waters, bedlands, and tidelands within the area described by a line starting from shore at 47° 34.677'N, 122° 24.953'W; then northwesterly to 47° 34.834'N, 122° 25.054'W; then northeasterly to 47° 34.946'N, 122° 24.678'W; then returning to shore at 47° 34.789'N, 122° 24.575'W.

(f) **Days Island.** Days Island is defined as the waters, bedlands, and tidelands within the area described by a line starting from shore at 47° 14.125'N, 122° 33.819'W; then west to 47° 14.126'N, 122° 34.024'W; then north to 47° 14.696'N, 122° 34.013'W; then returning to shore at 47° 14.696'N, 122° 34.679'W.

(g) **Deception Pass.** Deception Pass is defined as the waters, bedlands, and tidelands east of a line starting at 48° 24.134'N, 122° 39.801'W; and north to 48° 25.169'N, 122° 40.343'W; then east to 48° 25.269'N, 122° 40.161'W; proceeding to 48° 24.925'N, 122° 39.845'W;

and west of a line starting at 48° 24.492'N, 122° 36.904'W; and north to 48° 24.815'N, 122° 36.912'W.

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047. WSR 22-05-066 (Order 22-06), § 220-330-090, filed 2/11/22, effective 7/1/22. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-04-058 (Order 20-19), § 220-330-090, filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.020, and 77.12.047. WSR 19-13-013 (Order 18-120), § 220-330-090, filed 6/7/19, effective 7/8/19. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-090, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 17-01-085 (Order 16-322), § 220-56-336, filed 12/16/16, effective 1/16/17. Statutory Authority: RCW 75.08.080. WSR 97-07-078 (Order 97-53), § 220-56-336, filed 3/19/97, effective 5/1/97.]

WAC 220-330-110 Clams other than razor clams, and mussels—Areas and seasons. It is lawful to take, dig for, and possess clams and mussels for personal use from public tidelands year-round, except the following restrictions apply to the public tidelands at the beaches listed below:

- (1) Ala Spit: All public tidelands of Ala Spit are open May 1 through May 31 only.
- (2) Alki Park: Closed year-round.
- (3) Alki Point: Closed year-round.
- (4) Bay Center Oyster Reserve (Willapa Harbor reserves): Palix River channel, extending from the Palix River bridge to beyond Bay Center to the north of Goose Point, is closed year-round.
- (5) Bay View State Park: Closed year-round.
- (6) Belfair State Park: Open August 1 through September 30 only.
- (7) Billy Frank Jr. Nisqually National Wildlife Refuge: All state-owned tidelands of the Nisqually River delta south of a line drawn from Luhr Beach boat ramp to Sequelitchew Creek are closed year-round.
- (8) Blaine Marine Park: Closed year-round.
- (9) Blake Island State Park Marina: Closed year-round.
- (10) Blowers Bluff North: Closed year-round.
- (11) Brown's Point Lighthouse: Closed year-round.
- (12) Budd Inlet: All state-owned tidelands of Budd Inlet south of a line drawn from the southern boundary of Burfoot Park west to the opposite shore near 68th Avenue N.W. are closed year-round.
- (13) Cama Beach State Park: Closed year-round.
- (14) Camano Island State Park: Closed year-round.
- (15) Chuckanut Bay: All tidelands of Chuckanut Bay north of the railroad trestle are closed year-round.
- (16) Coupeville: Closed year-round.
- (17) Cultus Bay: Closed year-round.
- (18) Dash Point County Park: Closed year-round.
- (19) Dash Point State Park: Open September 1 through May 31 only.
- (20) Dave Mackie County Park: Closed year-round.
- (21) Deception Pass State Park: Open year-round, except the tidelands of Rosario Bay from the northern park boundary, south to Rosario Head (48.4172°, -122.6663°) are closed year-round.

- (22) Des Moines City Park: Closed year-round.
- (23) Discovery Park: Closed year-round.
- (24) DNR-142: Closed year-round.
- (25) DNR-144 (Sleeper): Closed year-round.
- (26) Dockton County Park: Closed year-round.
- (27) Dosewallips State Park: The area defined by boundary markers and signs posted on the beach is open July 15 through September 30 only.
- (28) Dosewallips State Park South: Closed year-round south of the line defined by boundary markers and signs posted on the beach.
- (29) Drayton Harbor: All public tidelands of Drayton Harbor are open year-round, except tidelands identified as prohibited by the department of health and defined by boundary markers and signs posted on the beach are closed year-round.
- (30) Duckabush: Open November 1 through April 30 only.
- (31) Dungeness Spit and Dungeness National Wildlife Refuge Tidelands: Open May 15 through September 30 only.
- (32) Eagle Creek: Open July 1 through August 31 only.
- (33) East San de Fuca: Tidelands east of the Rolling Hills Glencairn Community dock are closed year-round.
- (34) Eld Inlet Oyster Reserves (Mud Bay reserves): Closed year-round.
- (35) English Camp: Tidelands between the National Park Service dinghy dock to the southern park boundary are closed year-round.
- (36) Evergreen Rotary Park (Port Washington Narrows): Closed year-round.
- (37) Fay Bainbridge Park: Closed year-round.
- (38) Fort Flagler State Park: Open January 1 through April 15 and June 15 through December 31 only, except that portion of Rat Island and the spit west and south of the park boundary is closed year-round from two white posts on the north end of the island at the vegetation line south to the end of the island.
- (39) Freeland County Park: Open October 1 through May 31 only.
- (40) Frye Cove County Park: Open May 1 through May 31 only.
- (41) Fudge Point State Park: Closed year-round.
- (42) Gertrude Island: All tidelands of Gertrude Island are closed year-round.
- (43) Golden Gardens: Closed year-round.
- (44) Graveyard Spit: Closed year-round.
- (45) Guillemot Cove Nature Reserve: Closed year-round.
- (46) Guss Island: All tidelands of Guss Island are closed year-round.
- (47) Hope Island State Park (South Puget Sound): Open May 1 through May 31 only.
- (48) Howarth Park/Darlington Beach: Closed year-round.
- (49) Illahee State Park: Open April 1 through July 31 only.
- (50) Indian Island County Park/Lagoon Beach: From the jetty boundary with Port Townsend Ship Canal east to the beach access stairs on Flagler Road near milepost 4 open April 1 through May 31 only.
- (51) Ingvald J. Gronvold Park: Open April 1 through May 31 only.
- (52) Joemma Beach State Park: Closed year-round.
- (53) Kayak Point County Park: Closed year-round.
- (54) Kitsap Memorial State Park: Closed year-round.
- (55) Kopachuck State Park: Open April 1 through May 31 only.
- (56) Lent Landing (Port Washington Narrows): Closed year-round.
- (57) Liberty Bay: All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed year-round, ex-

cept the western shoreline of Liberty Bay from the unincorporated Kitsap County line south to Virginia Point is open October 1 through April 30 only.

(58) Lincoln Park: Closed year-round.

(59) Lions Park (Bremerton): Closed year-round.

(60) Lofall: Closed year-round.

(61) Long Island Oyster Reserve, Diamond Point and Pinnacle Rock (Willapa Harbor reserves): Diamond Point on the northwest side of Long Island between reserve monuments 39 and 41 and Pinnacle Rock on the southwest side of Long Island between reserve monuments 58 and 59 is open year-round.

(62) Long Island Slough Oyster Reserve (Willapa Harbor reserves): Closed year-round.

(63) Long Point West: Closed year-round.

(64) Lower Roto Vista Park: Closed year-round.

(65) March Point Recreation Area: Closed year-round.

(66) McNeil Island: All tidelands of McNeil Island are closed year-round.

(67) Meadowdale County Park: Closed year-round.

(68) Mee-Kwa-Mooks Park: Closed year-round.

(69) Monroe Landing: Closed year-round.

(70) Mukilteo: Closed year-round.

(71) Mystery Bay State Park: Open October 1 through April 30 only.

(72) Nahcotta Tidelands: State-owned tidelands east of the Willapa Bay Field Station and Nahcotta Tidelands interpretive site are closed year-round.

(73) Nemah Oyster Reserve (Willapa Harbor reserves): Oyster reserves between reserve monuments 10 and 11 are closed year-round.

(74) North Bay (Case Inlet): All state-owned tidelands north of the power transmission lines and those extending 1,900 feet south of the power transmission lines along the eastern shore are open March 1 through April 30 and September 1 through October 15, from one hour before official sunrise until one hour after official sunset only.

(75) North Beach County Park: Closed year-round.

(76) Oak Bay County Park: Closed year-round.

(77) Oak Harbor: Closed year-round.

(78) Oak Harbor Beach Park: Closed year-round.

(79) Oak Harbor City Park: Closed year-round.

(80) Oakland Bay: State-owned oyster reserves are open year-round except in areas defined by boundary markers and signs posted on the beach.

(81) Old Mill County Park (Silverdale): Closed year-round.

(82) Olympia Shoal: Closed year-round.

(83) Pat Carey Vista Park: Closed year-round.

(84) Penrose Point State Park: Closed year-round.

(85) Picnic Point County Park: Closed year-round.

(86) Pitship Point: Closed year-round.

(87) Pitt Island: All tidelands on Pitt Island are closed year-round.

(88) Pleasant Harbor State Park: Closed year-round.

(89) Pleasant Harbor WDFW Boat Launch: Closed year-round.

(90) Point Defiance: Closed year-round.

(91) Point Whitney Tidelands and Point Whitney Lagoon: Closed year-round.

(92) Port Angeles Harbor: All public tidelands of Port Angeles Harbor and interior tidelands of Ediz Hook are closed year-round.

- (93) Port Gamble Heritage Park Tidelands: Open August 1 through September 30 only.
- (94) Port Gardner: Closed year-round.
- (95) Port Townsend Ship Canal/Portage Beach: Open April 1 through May 31 only.
- (96) Post Point: Closed year-round.
- (97) Potlatch State Park and Potlatch DNR tidelands: Open April 1 through May 31 only.
- (98) Purdy Spit County Park: The southern shore of the spit from the boat ramp east to the southern utility tower near Purdy Bridge is open April 1 through April 30 only.
- (99) Quilcene Bay Tidelands: All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed to the harvest of clams year-round, except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open year-round.
- (100) Quilcene Bay Boat Ramp: Open January 1 through May 31 only.
- (101) Retsil: Closed year-round.
- (102) Richmond Beach Saltwater Park: Closed year-round.
- (103) Salt Creek Recreation Area (DNR-419): Closed year-round.
- (104) Saltair Beach (Kingston Ferry Terminal): Closed year-round.
- (105) Saltwater State Park: Closed year-round.
- (106) Samish Bay: Public tidelands of Samish Bay between Scotts Point and a point on the shore (48.5745°, -122.4440°) are closed year-round.
- (107) Scenic Beach State Park: Closed year-round.
- (108) Seahurst County Park: Closed year-round.
- (109) Semiahmoo County Park: Closed year-round.
- (110) Semiahmoo Marina: Closed year-round.
- (111) Sequim Bay State Park: Open January 1 through April 15 only.
- (112) Shine Tidelands State Park: Open January 1 through May 15 only.
- (113) Silverdale Waterfront Park: Closed year-round.
- (114) Sinclair Inlet: All public tidelands of Sinclair Inlet west of a line drawn from the intersection of Bancroft Road and Beach Drive East northerly to Point Herron are closed year-round.
- (115) Skagit Bay Estuary Wildlife Areas: All public tidelands of Skagit Bay Estuary Wildlife Area, Fir Island Farms Reserve Wildlife Area, Island Wildlife Area, Camano Island Wildlife Area and Leque Island Wildlife Area are closed year-round.
- (116) South Carkeek Park: Closed year-round.
- (117) Southworth: Closed year-round.
- (118) Spencer Spit State Park: Open March 1 through July 31 only.
- (119) Squaxin Park (Priest Point County Park): Closed year-round.
- (120) Stuart Island State Park - Reid Harbor (South Beach): Closed year-round.
- (121) Taylor Bay: Closed year-round.
- (122) Totten Inlet Oyster Reserve (Oyster Bay reserves): Closed year-round.
- (123) Triton Cove Tidelands: Open June 1 through August 31 only.
- (124) Twanoh State Park: Open August 1 through September 30 only.
- (125) Walker County Park: Closed year-round.
- (126) WDFW Hoodsport Hatchery: Tidelands at Hoodsport Salmon Hatchery are closed year-round.
- (127) West Dewatto: DNR Beach 44A open July 1 through September 30 only.

(128) West Pass Access: Closed year-round.

(129) West Penn Cove: From the property boundary at the Grasser's Lagoon access on Highway 20 to the dock extending across the tidelands from Captain Whidbey Inn on Madrona Road is open July 15 through September 30 only.

(130) Willapa River Oyster Reserve (Willapa Harbor reserves): Reserves located in the Willapa River channel extending west and upriver from a point approximately one-quarter mile from the blinker light marking the division of Willapa River channel and the North River channel are closed year-round.

(131) Wolfe Property State Park: Open January 1 through May 15 only.

(132) Woodard Bay Natural Resource Conservation Area: Closed year-round.

(133) It is lawful to take, dig for, and possess clams and mussels, not including razor clams, for personal use from the Pacific Ocean beaches from November 1 through March 31 only.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.12.045, 77.12.047, and 77.04.055. WSR 23-06-065 (Order 23-34), § 220-330-110, filed 2/28/23, effective 3/31/23. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047. WSR 22-06-010 (Order 22-20), § 220-330-110, filed 2/18/22, effective 3/21/22; WSR 21-06-060 (Order 21-24), § 220-330-110, filed 2/26/21, effective 3/29/21; WSR 20-05-019 (Order 20-21), § 220-330-110, filed 2/7/20, effective 3/9/20; WSR 19-08-044 (Order 19-51), § 220-330-110, filed 3/29/19, effective 4/29/19; WSR 18-11-077 (Order 18-99), § 220-330-110, filed 5/17/18, effective 6/17/18; WSR 17-18-004 (Order 17-214), § 220-330-110, filed 8/24/17, effective 9/24/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-110, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055 [77.04.055], 77.12.045, and 77.12.047. WSR 16-07-012 (Order 16-41), § 220-56-350, filed 3/4/16, effective 4/4/16. Statutory Authority: RCW 77.04.012, 77.04.055, and 77.12.047. WSR 15-09-046, § 220-56-350, filed 4/10/15, effective 5/11/15. Statutory Authority: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047. WSR 14-07-057 (Order 14-61), § 220-56-350, filed 3/14/14, effective 4/14/14. Statutory Authority: RCW 77.04.020 and 77.12.047. WSR 13-06-034 (Order 13-44), § 220-56-350, filed 3/1/13, effective 4/1/13. Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 12-07-011 (Order 12-31), § 220-56-350, filed 3/12/12, effective 4/12/12; WSR 11-09-073 (Order 11-66), § 220-56-350, filed 4/19/11, effective 5/20/11. Statutory Authority: RCW 77.12.047. WSR 10-07-105 (Order 10-64), § 220-56-350, filed 3/19/10, effective 5/1/10; WSR 09-06-042 (Order 09-27), § 220-56-350, filed 2/25/09, effective 5/1/09; WSR 08-07-003, § 220-56-350, filed 3/5/08, effective 4/5/08; WSR 07-05-051 (Order 07-22), § 220-56-350, filed 2/16/07, effective 3/19/07; WSR 06-05-085 (Order 06-23), § 220-56-350, filed 2/14/06, effective 5/1/06; WSR 05-05-035 (Order 05-15), § 220-56-350, filed 2/10/05, effective 5/1/05; WSR 04-07-009 (Order 04-39), § 220-56-350, filed 3/4/04, effective 5/1/04; WSR 03-05-057 (Order 03-24), § 220-56-350, filed 2/14/03, effective 5/1/03; WSR 02-17-019 (Order 02-193), § 220-56-350, filed 8/9/02, effective 9/9/02; WSR 02-08-048 (Order 02-53), § 220-56-350, filed 3/29/02, effective 5/1/02; WSR 01-06-036 (Order 01-24), § 220-56-350, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7. WSR 00-16-091 (Order 00-134), § 220-56-350,

filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080, 77.12.040. WSR 00-08-038 (Order 00-29), § 220-56-350, filed 3/29/00, effective 5/1/00; WSR 99-08-029 (Order 99-13), § 220-56-350, filed 3/30/99, effective 5/1/99; WSR 98-06-031, § 220-56-350, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 97-07-078 (Order 97-53), § 220-56-350, filed 3/19/97, effective 5/1/97; WSR 96-11-078 (Order 96-44), § 220-56-350, filed 5/13/96, effective 6/13/96; WSR 95-12-027 (Order 95-46), § 220-56-350, filed 5/31/95, effective 7/1/95; WSR 94-14-069, § 220-56-350, filed 7/1/94, effective 8/1/94; WSR 93-15-011, § 220-56-350, filed 7/8/93, effective 8/8/93; WSR 93-08-034 (Order 93-20), § 220-56-350, filed 3/31/93, effective 5/1/93; WSR 92-11-012 (Order 92-19), § 220-56-350, filed 5/12/92, effective 6/12/92; WSR 91-08-054 (Order 91-13), § 220-56-350, filed 4/2/91, effective 5/3/91; WSR 90-06-026, § 220-56-350, filed 2/28/90, effective 3/31/90; WSR 89-07-060 (Order 89-12), § 220-56-350, filed 3/16/89; WSR 88-10-013 (Order 88-15), § 220-56-350, filed 4/26/88; WSR 87-09-066 (Order 87-16), § 220-56-350, filed 4/21/87; WSR 86-09-020 (Order 86-08), § 220-56-350, filed 4/9/86; WSR 85-12-046 (Order 85-57), § 220-56-350, filed 6/5/85; WSR 83-07-043 (Order 83-16), § 220-56-350, filed 3/17/83; WSR 81-05-027 (Order 81-13), § 220-56-350, filed 2/17/81, effective 4/1/81; WSR 80-03-064 (Order 80-12), § 220-56-350, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

WAC 220-330-120 Clams, oysters, mussels, scallops, sea urchins, sea cucumbers, squid, octopus—Gear and gear-related unlawful acts.

It is unlawful to take, dig for, fish for, or possess clams, oysters, mussels, scallops, sea urchins, sea cucumbers, squid, or octopus for personal use, except using gear outlined in the following subsections:

(1) **Clams** (excluding razor clams and geoducks): By hand or with hand-operated forks, picks, mattocks, rakes and shovels.

(2) **Razor clams**: By hand, shovels or with cylindrical cans, tubes or hinged digging devices. The opening of tubes or cans must be either circular or elliptical with the circular can/tube having a minimum outside diameter of 4 inches and the elliptical can/tube having a minimum dimension of 4 inches long and 3 inches wide outside diameter. The hinged digging device when opened in a cylindrical position, must have a minimum outside diameter of 4 inches at the bottom.

(3) **Geoducks**:

(a) By hand or with nonmechanized hand-operated forks, picks, mattocks, rakes, and shovels and a cylindrical can or tube not exceeding 24 inches in diameter may be used to dig geoduck.

(b) It is unlawful for any person digging clams, other than razor clams, for personal use to fail to fill in holes created during the digging operation. Beach terrain must be returned to its approximate original condition by the clam diggers immediately after harvest.

(4) It is unlawful to return any horse clams or geoducks to the beach or water regardless of size or condition. All such clams taken for personal use must be retained by the digger as part of their daily limit.

(5) **Oysters and scallops**: By hand or with the aid of a hand-held manually operated prying tool. It is unlawful to use a hammer, mallet or other object to strike oysters and rock scallops during the removal process.

(6) **Sea cucumbers**: By hand or hand-operated, nonmechanized instrument which does not penetrate the animal.

(7) **Sea urchins:** By hand or hand-operated, nonmechanized instrument which does not penetrate the shell.

(8) In the field each harvester, including holders of razor clam disability permits, must have their daily limit in a separate container. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(9) **Squid:** It is unlawful to take, fish for or possess squid taken for personal use with more than one line. A maximum of four squid lures may be used. If gear utilizes conventional hooks, it shall not exceed a total of nine points. Herring rakes and hand dip net gear may be used to take squid. In the field each person taking squid must use a separate container to hold their catch.

(10) **Octopus:** Octopus may be taken by hand, only except that one octopus per person per day may be retained when caught incidentally using shellfish pot gear during a lawful shellfish pot fishery. Shellfish pots may not be used to capture octopus outside of a lawful shellfish pot fishery. It is unlawful to take octopus using chemical irritants or by any instrument which will penetrate or mutilate the body, except that it is permissible to retain octopus taken while angling with hook and line gear during a lawful hook and line fishery.

(11) A violation of this subsection is punishable under RCW 77.15.160, 77.15.380, or 77.15.370, depending on the circumstances of the violation. Possession of shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the shellfish were taken with such gear.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-04-058 (Order 20-19), § 220-330-120, filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04-055 [77.04.055], 77.12.045, and 77.12.047. WSR 17-18-004 (Order 17-214), § 220-330-120, filed 8/24/17, effective 9/24/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-120, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 17-01-085 (Order 16-322), § 220-56-355, filed 12/16/16, effective 1/16/17. Statutory Authority: RCW 77.12.047. WSR 02-17-019 (Order 02-193), § 220-56-355, filed 8/9/02, effective 9/9/02; WSR 02-08-048 (Order 02-53), § 220-56-355, filed 3/29/02, effective 5/1/02. Statutory Authority: RCW 75.08.080. WSR 97-07-078 (Order 97-53), § 220-56-355, filed 3/19/97, effective 5/1/97; WSR 89-07-060 (Order 89-12), § 220-56-355, filed 3/16/89; WSR 88-10-013 (Order 88-15), § 220-56-355, filed 4/26/88; WSR 80-03-064 (Order 80-12), § 220-56-355, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

WAC 220-330-140 Oysters—Areas and seasons. It is lawful to take and possess oysters for personal use from public tidelands year-round except the following restrictions apply to the public tidelands at the beaches listed below:

(1) Ala Spit: All public tidelands of Ala Spit open May 1 through May 31 only.

(2) Alki Park: Closed year-round.

(3) Alki Point: Closed year-round.

- (4) Bay Center Oyster Reserve (Willapa Harbor reserves): Palix River channel, extending from the Palix River bridge to beyond Bay Center to the north of Goose Point, is closed year-round.
- (5) Bay View State Park: Closed year-round.
- (6) Belfair State Park: Open August 1 through September 30 only.
- (7) Billy Frank Jr. Nisqually National Wildlife Refuge: All state-owned tidelands of the Nisqually River delta south of a line drawn from Luhr Beach boat ramp to Sequelitchew Creek are closed year-round.
- (8) Blaine Marine Park: Closed year-round.
- (9) Blake Island State Park Marina: Closed year-round.
- (10) Blowers Bluff North: Closed year-round.
- (11) Brown's Point Lighthouse: Closed year-round.
- (12) Budd Inlet: All state-owned tidelands of Budd Inlet south of a line drawn from the southern boundary of Burfoot Park west to the opposite shore near 68th Avenue N.W. are closed year-round.
- (13) Cama Beach State Park: Closed year-round.
- (14) Camano Island State Park: Closed year-round.
- (15) Chuckanut Bay: All tidelands of Chuckanut Bay north of the railroad trestle are closed year-round.
- (16) Coupeville: Closed year-round.
- (17) Cultus Bay: Closed year-round.
- (18) Dash Point County Park: Closed year-round.
- (19) Dash Point State Park: Open September 1 through May 31 only.
- (20) Dave Mackie County Park: Closed year-round.
- (21) Deception Pass State Park: Open year-round, except the tidelands of Rosario Bay from the northern park boundary to Rosario Head (48.4172°, -122.6663°) are closed year-round.
- (22) Des Moines City Park: Closed year-round.
- (23) Discovery Park: Closed year-round.
- (24) DNR-142: Closed year-round.
- (25) DNR-144 (Sleeper): Closed year-round.
- (26) Dockton County Park: Closed year-round.
- (27) Dosewallips State Park: Open year-round only in the area defined by boundary markers and signs posted on the beach.
- (28) Dosewallips State Park South: Closed year-round south of the line defined by boundary markers and signs posted on the beach.
- (29) Drayton Harbor: All public tidelands of Drayton Harbor are open year-round, except the tidelands identified as prohibited by the department of health and defined by boundary markers and signs posted on the beach are closed year-round.
- (30) Duckabush: Open November 1 through April 30 only.
- (31) Dungeness Spit/National Wildlife Refuge: Open May 15 through September 30 only.
- (32) East San de Fuca: Tidelands east of the Rolling Hills Glencairn Community dock are closed year-round.
- (33) Eld Inlet Oyster Reserves (Mud Bay reserves): Closed year-round.
- (34) English Camp: Tidelands between the National Park Service dinghy dock to the southern park boundary are closed year-round.
- (35) Evergreen Rotary Park (Port Washington Narrows): Closed year-round.
- (36) Fay Bainbridge Park: Closed year-round.
- (37) Fort Flagler State Park: Open January 1 through April 15 and June 15 through December 31 only, except that portion of Rat Island and the spit west and south of the park boundary is closed year-round

from two white posts on the north end of the island at the vegetation line south to the end of the island.

(38) Freeland County Park: Open October 1 through May 31 only.

(39) Frye Cove County Park: Open May 1 through May 31 only.

(40) Fudge Point State Park: Closed year-round.

(41) Gertrude Island: All tidelands of Gertrude Island are closed year-round.

(42) Golden Gardens: Closed year-round.

(43) Graveyard Spit: Closed year-round.

(44) Guillemot Cove Nature Reserve: Closed year-round.

(45) Guss Island: All tidelands of Guss Island are closed year-round.

(46) Hope Island State Park (South Puget Sound): Open May 1 through May 31 only.

(47) Howarth Park/Darlington Beach: Closed year-round.

(48) Illahee State Park: Open April 1 through July 31 only.

(49) Indian Island County Park/Lagoon Beach: From the jetty boundary with Port Townsend Ship Canal east to the beach access stairs on Flagler Road near milepost 4 open April 1 through May 31 only.

(50) Ingvald J. Gronvold Park: Open April 1 through May 31 only.

(51) Joemma Beach State Park: Closed year-round.

(52) Kayak Point County Park: Closed year-round.

(53) Kitsap Memorial State Park: Closed year-round.

(54) Kopachuck State Park: Open April 1 through May 31 only.

(55) Lent Landing (Port Washington Narrows): Closed year-round.

(56) Liberty Bay: All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed year-round, except the western shoreline of Liberty Bay from the unincorporated Kitsap County line south to Virginia Point is open October 1 through April 30 only.

(57) Lincoln Park: Closed year-round.

(58) Lions Park (Bremerton): Closed year-round.

(59) Lofall: Closed year-round.

(60) Long Island Oyster Reserve, Diamond Point and Pinnacle Rock (Willapa Harbor reserves): Diamond Point on the northwest side of Long Island between reserve monuments 39 and 41 and Pinnacle Rock on the southwest side of Long Island between reserve monuments 58 and 59 is open year-round.

(61) Long Island Slough Oyster Reserve (Willapa Harbor reserves): Closed year-round.

(62) Long Point West: Closed year-round.

(63) Lower Roto Vista Park: Closed year-round.

(64) March Point Recreation Area: Closed year-round.

(65) McNeil Island: All tidelands of McNeil Island are closed year-round.

(66) Meadowdale County Park: Closed year-round.

(67) Mee-Kwa-Mooks Park: Closed year-round.

(68) Monroe Landing: Closed year-round.

(69) Mukilteo: Closed year-round.

(70) Mystery Bay State Park: Open October 1 through April 30 only.

(71) Nahcotta Tidelands: State-owned tidelands east of the Willapa Bay Field Station and Nahcotta Tidelands interpretive site are open year-round.

(72) Nemah Oyster Reserve (Willapa Harbor reserves): Oyster reserves between reserve monuments 10 and 11 are closed year-round.

- (73) North Bay (Case Inlet): All state-owned tidelands north of the power transmission lines and those extending 1,900 feet south of the power transmission lines along the eastern shore are open March 1 through April 30 and September 1 through October 15, from one hour before official sunrise until one hour after official sunset only.
- (74) North Beach County Park: Closed year-round.
- (75) Oak Bay County Park: Closed year-round.
- (76) Oak Harbor: Closed year-round.
- (77) Oak Harbor Beach Park: Closed year-round.
- (78) Oak Harbor City Park: Closed year-round.
- (79) Oakland Bay: State-owned oyster reserves are open year-round except in areas defined by boundary markers and signs posted on the beach.
- (80) Old Mill County Park (Silverdale): Closed year-round.
- (81) Olympia Shoal: Closed year-round.
- (82) Pat Carey Vista Park: Closed year-round.
- (83) Penrose Point State Park: Closed year-round.
- (84) Picnic Point County Park: Closed year-round.
- (85) Pitship Point: Closed year-round.
- (86) Pitt Island: Closed year-round.
- (87) Pleasant Harbor State Park: Closed year-round.
- (88) Pleasant Harbor WDFW Boat Launch: Closed year-round.
- (89) Point Defiance: Closed year-round.
- (90) Point Whitney Tidelands and Point Whitney Lagoon: Open January 1 through June 30 only.
- (91) Port Angeles Harbor: All public tidelands of Port Angeles Harbor and interior tidelands of Ediz Hook are closed year-round.
- (92) Port Gamble Heritage Park Tidelands: Open August 1 through September 30 only.
- (93) Port Gardner: Closed year-round.
- (94) Port Townsend Ship Canal/Portage Beach: Open April 1 through May 31 only.
- (95) Post Point: Closed year-round.
- (96) Potlatch State Park and Potlatch DNR tidelands: Open April 1 through May 31 only.
- (97) Purdy Spit County Park: The southern shore of the spit from the boat ramp east to the southern utility tower near Purdy Bridge is open April 1 through April 30 only.
- (98) Quilcene Bay Tidelands: All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed year-round except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open year-round.
- (99) Quilcene Boat Ramp: Open January 1 through May 31 only.
- (100) Retsil: Closed year-round.
- (101) Richmond Beach Saltwater Park: Closed year-round.
- (102) Salt Creek Recreation Area (DNR-419): Closed year-round.
- (103) Saltair Beach (Kingston Ferry Terminal): Closed year-round.
- (104) Saltwater State Park: Closed year-round.
- (105) Samish Bay: Public tidelands of Samish Bay between Scotts Point and a point on the shore (48.5745°, -122.4440°) are closed year-round.
- (106) Scenic Beach State Park: Closed year-round.
- (107) Seahurst County Park: Closed year-round.
- (108) Semiahmoo County Park: Closed year-round.
- (109) Semiahmoo Marina: Closed year-round.

- (110) Sequim Bay State Park: Open January 1 through April 15 only.
- (111) Shine Tidelands State Park: Open January 1 through May 15 only.
- (112) Silverdale Waterfront Park: Closed year-round.
- (113) Sinclair Inlet: All public tidelands of Sinclair Inlet west of a line drawn from the intersection of Bancroft Road and Beach Drive East northerly to Point Herron are closed year-round.
- (114) Skagit Bay Estuary Wildlife Areas: All public tidelands of the Skagit Bay Estuary Wildlife Area, Fir Island Farms Reserve Wildlife Area, Island Wildlife Area, Camano Island Wildlife Area and Leque Island Wildlife Area are closed year-round.
- (115) South Carkeek Park: Closed year-round.
- (116) Southworth: Closed year-round.
- (117) Spencer Spit State Park: Open March 1 through July 31 only.
- (118) Squaxin Park (Priest Point County Park): Closed year-round.
- (119) Stuart Island State Park - Reid Harbor (South Beach): Closed year-round.
- (120) Taylor Bay: Closed year-round.
- (121) Totten Inlet Oyster Reserve (Oyster Bay reserves): Closed year-round.
- (122) Walker County Park: Closed year-round.
- (123) WDFW Hoodsport Hatchery: Open April 1 through May 31, from one hour before official sunrise until one hour after official sunset only.
- (124) West Pass Access: Closed year-round.
- (125) West Penn Cove: From the property boundary at the Grasser's Lagoon access on Highway 20 to the dock extending across the tidelands from Captain Whidbey Inn on Madrona Road is open July 15 through September 30 only.
- (126) Willapa River Oyster Reserve (Willapa Harbor reserves): Reserves located in the Willapa River channel extending west and upriver from a point approximately one-quarter mile from the blinker light marking the division of Willapa River channel and the North River channel are closed year-round.
- (127) Wolfe Property State Park: Open January 1 through May 15 only.
- (128) Woodard Bay Natural Resource Conservation Area: Closed year-round.
- (129) It is lawful to take and possess oysters for personal use from the Pacific Ocean beaches from November 1 through March 31 only.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.12.045, 77.12.047, and 77.04.055. WSR 23-06-065 (Order 23-34), § 220-330-140, filed 2/28/23, effective 3/31/23. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047. WSR 22-06-010 (Order 22-20), § 220-330-140, filed 2/18/22, effective 3/21/22; WSR 21-06-060 (Order 21-24), § 220-330-140, filed 2/26/21, effective 3/29/21; WSR 20-05-019 (Order 20-21), § 220-330-140, filed 2/7/20, effective 3/9/20; WSR 19-08-044 (Order 19-51), § 220-330-140, filed 3/29/19, effective 4/29/19; WSR 18-11-077 (Order 18-99), § 220-330-140, filed 5/17/18, effective 6/17/18; WSR 17-18-004 (Order 17-214), § 220-330-140, filed 8/24/17, effective 9/24/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-330-140, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055 [77.04.055], 77.12.045, and 77.12.047. WSR 16-07-012 (Order

16-41), § 220-56-380, filed 3/4/16, effective 4/4/16. Statutory Authority: RCW 77.04.012, 77.04.055, and 77.12.047. WSR 15-09-046, § 220-56-380, filed 4/10/15, effective 5/11/15. Statutory Authority: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047. WSR 14-07-057 (Order 14-61), § 220-56-380, filed 3/14/14, effective 4/14/14. Statutory Authority: RCW 77.04.020 and 77.12.047. WSR 13-06-034 (Order 13-44), § 220-56-380, filed 3/1/13, effective 4/1/13. Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 12-07-011 (Order 12-31), § 220-56-380, filed 3/12/12, effective 4/12/12; WSR 11-09-073 (Order 11-66), § 220-56-380, filed 4/19/11, effective 5/20/11. Statutory Authority: RCW 77.12.047. WSR 10-07-105 (Order 10-64), § 220-56-380, filed 3/19/10, effective 5/1/10; WSR 09-06-042 (Order 09-27), § 220-56-380, filed 2/25/09, effective 5/1/09; WSR 08-07-003, § 220-56-380, filed 3/5/08, effective 4/5/08; WSR 07-05-051 (Order 07-22), § 220-56-380, filed 2/16/07, effective 3/19/07; WSR 06-05-085 (Order 06-23), § 220-56-380, filed 2/14/06, effective 5/1/06; WSR 05-05-035 (Order 05-15), § 220-56-380, filed 2/10/05, effective 5/1/05; WSR 04-07-009 (Order 04-39), § 220-56-380, filed 3/4/04, effective 5/1/04; WSR 03-05-057 (Order 03-24), § 220-56-380, filed 2/14/03, effective 5/1/03; WSR 02-08-048 (Order 02-53), § 220-56-380, filed 3/29/02, effective 5/1/02; WSR 01-06-036 (Order 01-24), § 220-56-380, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7. WSR 00-16-091 (Order 00-134), § 220-56-380, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080, 77.12.040. WSR 00-08-038 (Order 00-29), § 220-56-380, filed 3/29/00, effective 5/1/00; WSR 99-08-029 (Order 99-13), § 220-56-380, filed 3/30/99, effective 5/1/99; WSR 98-06-031, § 220-56-380, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 97-07-078 (Order 97-53), § 220-56-380, filed 3/19/97, effective 5/1/97; WSR 96-11-078 (Order 96-44), § 220-56-380, filed 5/13/96, effective 6/13/96; WSR 95-12-027 (Order 95-46), § 220-56-380, filed 5/31/95, effective 7/1/95; WSR 94-14-069, § 220-56-380, filed 7/1/94, effective 8/1/94; WSR 93-08-034 (Order 93-20), § 220-56-380, filed 3/31/93, effective 5/1/93; WSR 92-11-012 (Order 92-19), § 220-56-380, filed 5/12/92, effective 6/12/92; WSR 91-08-054 (Order 91-13), § 220-56-380, filed 4/2/91, effective 5/3/91; WSR 90-06-026, § 220-56-380, filed 2/28/90, effective 3/31/90; WSR 89-07-060 (Order 89-12), § 220-56-380, filed 3/16/89; WSR 88-10-012 and 88-10-013 (Orders 88-14 and 88-15), § 220-56-380, filed 4/26/88; WSR 87-09-066 (Order 87-16), § 220-56-380, filed 4/21/87; WSR 86-09-020 (Order 86-08), § 220-56-380, filed 4/9/86; WSR 84-09-026 (Order 84-22), § 220-56-380, filed 4/11/84; WSR 82-13-040 (Order 82-61), § 220-56-380, filed 6/9/82; WSR 82-07-047 (Order 82-19), § 220-56-380, filed 3/18/82; WSR 81-05-027 (Order 81-13), § 220-56-380, filed 2/17/81, effective 4/1/81; WSR 80-03-064 (Order 80-12), § 220-56-380, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-086.]

WAC 220-330-150 Oysters and clams on private tidelands—Personal use. Provisions of this chapter do not apply where oysters, clams (excluding razor clams), or mussels, are taken or possessed for personal use only, by private tideland owners and lessees and immediate family members of the owners or lessees of state tidelands, from their own private tidelands.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-04-058 (Order 20-19), § 220-330-150, filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-330-150, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 75.08.080. WSR 94-14-069, § 220-56-382, filed 7/1/94, effective 8/1/94; WSR 93-08-034 (Order 93-20), § 220-56-382, filed 3/31/93, effective 5/1/93; WSR 86-09-020 (Order 86-08), § 220-56-382, filed 4/9/86; WSR 80-13-064 (Order 80-123), § 220-56-382, filed 9/17/80.]

WAC 220-330-160 Razor clams—Areas and seasons. (1) The following areas are defined as razor clam areas:

(a) "Razor Clam Area 1" includes the tidelands and waters of the Pacific Ocean and Willapa Bay between Cape Disappointment and Toke Point, not including the beaches within the Shoalwater Bay Indian Reservation or those tidelands and waters within the boundaries of Razor Clam Area 2;

(b) "Razor Clam Area 2" includes the tidelands and waters of the detached sand spits at the entrance to Willapa Bay west of Ellen Sands, north of the tip of Leadbetter Point and south of the Willapa Bay Ship Channel;

(c) "Razor Clam Area 3" includes the tidelands and waters of the Pacific Ocean, Willapa Bay, and Grays Harbor from Toke Point west and north to the westernmost point of the jetty at the end of Point Brown, not including the beaches within the Shoalwater Bay Indian Reservation;

(d) "Razor Clam Area 4" includes the tidelands and waters of the Pacific Ocean from the westernmost point of the jetty at the end of Point Brown north to the Copalis River;

(e) "Razor Clam Area 5" includes the tidelands and waters of the Pacific Ocean from the Copalis River north to the southern boundary of the Quinault Indian Reservation;

(f) "Razor Clam Area 6" includes the tidelands and waters of the Pacific Ocean from the northern boundary of the Quinault Indian Reservation north to Brown's Point (in the Kalaloch area of Jefferson County);

(g) "Razor Clam Area 7" includes the tidelands and waters of the Pacific Ocean from Brown's Point (in the Kalaloch area of Jefferson County) north to the Bonilla-Tatoosh line at Cape Flattery, not including those beaches that fall within the boundaries of an Indian reservation.

(2) It is unlawful to take, dig for or possess razor clams taken for personal use from any beaches in any razor clam area except as provided by emergency rule.

(3) It is unlawful to dig for razor clams at any time in the Long Beach, Twin Harbors, or Copalis Beach Razor Clam Sanctuaries as defined in WAC 220-320-130.

(4) Violation of this section is an infraction under RCW 77.15.160, a misdemeanor punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, or a gross misdemeanor under RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty, depending on whether any razor clams were harvested and the amount harvested.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-330-160, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 13-02-043 (Order 12-290), § 220-56-360, filed 12/21/12, effective 1/21/13. Statutory Authority: RCW 75.08.080. WSR 92-11-012 (Order 92-19), § 220-56-360, filed 5/12/92, effective 6/12/92; WSR 87-09-066 (Order 87-16), § 220-56-360, filed 4/21/87; WSR 85-19-067 (Order 85-134), § 220-56-360, filed 9/17/85; WSR 85-12-007 (Order 85-51), § 220-56-360, filed 5/23/85; WSR 83-07-043 (Order 83-16), § 220-56-360, filed 3/17/83; WSR 83-04-026 (Order 83-05), § 220-56-360, filed 1/27/83; WSR 83-01-025 (Order 82-220), § 220-56-360, filed 12/8/82; WSR 82-07-047 (Order 82-19), § 220-56-360, filed 3/18/82; WSR 80-03-064 (Order 80-12), § 220-56-360, filed 2/27/80, effective 4/1/80.]

WAC 220-330-170 Razor clams—Unlawful acts. (1) It is unlawful to return any razor clams to the beach or water regardless of size or condition, and all razor clams taken for personal use must be retained by the digger as a part of his or her daily limit.

(2) It is unlawful to drive or operate any motor-propelled vehicle, land any airplane, or ride or lead any horse on the razor clam beds of the state of Washington, as defined in WAC 220-320-030.

(3) A violation of this section is an infraction, punishable under RCW 77.15.160.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-330-170, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 12-23-016 (Order 12-267), § 220-56-365, filed 11/9/12, effective 12/10/12. Statutory Authority: RCW 75.08.080. WSR 95-04-066 (Order 95-10), § 220-56-365, filed 1/30/95, effective 5/1/95; WSR 86-09-020 (Order 86-08), § 220-56-365, filed 4/9/86; WSR 81-05-027 (Order 81-13), § 220-56-365, filed 2/17/81, effective 4/1/81; WSR 80-03-064 (Order 80-12), § 220-56-365, filed 2/27/80, effective 4/1/80.]