

WAC 220-355-070 Coastal bottomfish gear. (1)(a) It is unlawful to take, fish for, possess, transport through the waters of the state, or land in any Washington state ports, bottomfish taken for commercial purposes in violation of gear requirements published in the Code of Federal Regulations (C.F.R.), Title 50, Part 660, Subparts D through F. This subpart provides requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be listed in the Federal Register, and these override the C.F.R. if there are any inconsistencies. Prior to using coastal bottomfish gear, a person must consult both the Federal Register and the C.F.R. This chapter, chapter 220-355 WAC, adopts the federal regulations imposed by the C.F.R. and the Federal Register, and it incorporates those regulations by reference. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by going on the internet to the National Marine Fisheries Service West Coast Region Groundfish page. State regulations may apply that are more restrictive than federal regulations.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.520.

(2) Otter trawl and beam trawl.

(a) It is unlawful to use, operate, or carry aboard any fishing vessel otter trawl gear having meshes measuring less than 3 inches anywhere in the net.

(b) It is unlawful to use or operate any bottom roller or bobbin trawl having meshes less than 4.5 inches anywhere in the net. Rollers, bobbins, or discs used in roller or bobbin trawls must be a minimum of 14 inches in diameter.

(c) It is unlawful to use or operate a pelagic trawl with meshes less than 3.0 inches anywhere in the net. Footropes of pelagic trawls must be less than 1.75 inches in diameter, including twine necessary for seizing material. Sweep lines, including the bottom leg of the bridle, must be bare.

(d) It is unlawful to use or operate a pelagic trawl net unless bare rope or webbing with an individual mesh size no smaller than 16 inches completely encircles the net immediately behind the footrope or headrope for at least 20 feet. A band of mesh may encircle the net under transfer cables, or lifting or splitting straps (chokers), but the band must be: Over riblines and restraining straps; of the same mesh size, and coincide knot-to-knot with the net to which it is attached; and no wider than 16 meshes.

(e) It is unlawful to use or operate a trawl net that has chafing gear encircling more than 50 percent of the circumference of any bottom, roller, bobbin, or pelagic trawl, except as specified in (d) of this subsection. No section of chafing gear may be longer than 50 meshes of the body of the net to which it is attached. Except at the corners, the terminal end of each section of chafing gear must not be connected to the net. Chafing gear must be attached outside any rib lines and restraining straps. There is no limit on the number of sections of chafing gear on a net.

(f) It is unlawful to use double-wall cod ends in any trawl gear.

(g) Licensing: A food fish trawl, non-Puget Sound fishery license is the license required to operate the gear provided for in this section. Additionally, a federal limited entry permit is required in Areas 59A-1, 59A-2, 59B, 60A-1, and 60A-2, and that portion of Area 58B within the Exclusive Economic Zone.

(h) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(i) Violation of gear requirements under this subsection is punishable pursuant to RCW 77.15.520.

(3) Set lines.

(a) It is unlawful for the operator of set lines to leave such gear unattended, unless the following requirements are met:

(i) Gear must be marked with a buoy. The buoy must have affixed to it in a visible and legible manner a department-approved and registered buoy brand issued to the licensee. Set lines must also be marked at the surface at each terminal end with a pole and flag, light, and radar reflector.

(ii) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(iii) Set lines must be attended to no less than every seven days.

(b) Licensing: A food fish set line fishery license is the license required to operate the gear provided for in this section.

(c) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(4) Bottomfish pots.

(a) It is unlawful for the operator of bottomfish pots to leave such gear unattended, unless the following requirements are met:

(i) Gear must be marked with a buoy. The buoy must have affixed to it, in a visible and legible manner, a department-approved and registered buoy brand issued to the licensee.

(ii) Bottomfish pots laid on a ground line must be marked at the surface with a pole and a flag, light, and radar reflector at each terminal end.

(iii) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(iv) Bottomfish pots must be attended to no less than every seven days.

(b) Licensing: A bottomfish pot fishery license is the license required to operate the gear provided for in this section.

(c) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(5) Commercial jig gear.

(a) Licensing: A bottomfish jig fishery license is the license required to operate the gear provided for in this section.

(b) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(6) Troll lines.

(a) Licensing: A bottomfish troll fishery license is the license required to operate the gear provided for in this section.

(b) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 17-18-037 (Order 17-223), § 220-355-070, filed 8/29/17, effective 9/29/17. 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), amended and recodified as § 220-355-070, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 07-23-002 (Order 07-279), § 220-44-030, filed 11/7/07, effective 12/8/07; WSR 01-02-060 (Order 00-266), §

220-44-030, filed 12/29/00, effective 1/29/01. Statutory Authority: RCW 75.08.080. WSR 98-05-043, § 220-44-030, filed 2/11/98, effective 3/14/98; WSR 96-11-055 (Order 96-43), § 220-44-030, filed 5/9/96, effective 6/9/96; WSR 94-12-009 (Order 94-23), § 220-44-030, filed 5/19/94, effective 6/19/94; WSR 92-07-008 (Order 92-07), § 220-44-030, filed 3/6/92, effective 4/16/92; WSR 88-22-033 (Order 88-157), § 220-44-030, filed 10/27/88; Statutory Authority: RCW 75.08.080. WSR 88-22-033 (Order 88-157), § 220-44-030, filed 10/27/88; WSR 84-08-014 (Order 84-24), § 220-44-030, filed 3/27/84; WSR 82-14-056 (Order 82-72), § 220-44-030, filed 7/1/82; WSR 82-03-045 (Order 82-6), § 220-44-030, filed 1/19/82; WSR 81-02-053 (Order 81-3), § 220-44-030, filed 1/7/81; WSR 79-03-014 (Order 79-11), § 220-44-030, filed 2/15/79; WSR 78-04-039 (Order 78-11), § 220-44-030, filed 3/20/78.]