

Chapter 220-311 WAC

PERSONAL-USE FISHERIES—MARINE SPECIFIC RULES

WAC

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WAC 220-311-010 Marine area codes. The term "marine area code numbers" is defined as the catch area for the catch record card. The following is a list of the catch areas:

(1) Area 1 (Ilwaco): Waters west of the Buoy 10 Line and north to Leadbetter Point.

(2)(a) Area 2 (Westport-Ocean Shores): From Leadbetter Point north to the Queets River. Area 2 excludes waters of Willapa Bay and Grays Harbor.

(b) Area 2-1: Willapa Bay east of a line from Leadbetter Point (46°39'12"N, 124°3'31"W) due west to 46°39'12"N, 124°5'20"W then due north to the westerly most landfall on Cape Shoalwater at 46°44'40"N, 124°5'20"W.

(c) Area 2-2: Grays Harbor east of a line from the outermost end of the north jetty to the outermost exposed end of the south jetty.

(3) Area 3 (La Push): From the Queets River north to Cape Alava.

(4) Area 4 (Neah Bay): From Cape Alava north and inside Juan de Fuca Strait to the Sekiu River.

(5) Area 5 (Sekiu and Pillar Point): From mouth of Sekiu River east to Low Point, mouth of the Lyre River.

(6) Area 6 (East Juan de Fuca Strait): From Low Point east to the Partridge Point-Point Wilson line north to the line from Trial Island (near Victoria, B.C.) - Rosario Strait Traffic Lane Entrance Lighted Buoy R (USCG Light List No. 16340, referenced as Y "R" on National Ocean Service Chart No. 18400-1 dated 1997-08-30) - Smith Island - the most northeasterly of the Lawson Reef lighted buoys (RB1 QK Fl Bell) - Northwest Island - the Initiative 77 marker on Fidalgo Island.

(7) Area 7 (San Juan Islands): All marine waters north of the line described under Area 6 to the United States-Canadian boundary.

(8)(a) Area 8 (Deception Pass, Hope and Camano Islands): Line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island east through Deception Pass, including all waters east of Whidbey Island to the Possession Point - Shipwreck Line.

(b) Area 8-1 (Deception Pass and Hope Island): East of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, south of the Burlington Northern Railroad Bridge at the north end of Swinomish Slough, north of the Highway 532 Bridge between Camano Island and the mainland, and westerly of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #4 on Camano Island (Fl red 4 sec.).

(c) Area 8-2 (Port Susan and Port Gardner): East of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #4 on Camano Island (Fl red 4 sec.) and north of a line from the south tip of Possession Point 110 degrees true to a shipwreck on the opposite shore.

(9) Area 9 (Admiralty Inlet): All waters inside and south of the Partridge Point-Point Wilson Line and a line projected from the southerly tip of Possession Point 110 degrees true to a shipwreck on the opposite shore and northerly of the Hood Canal Bridge and the Apple Cove Point-Edwards Point Line.

(10) Area 10 (Seattle-Bremerton): From the Apple Cove Point-Edwards Point Line to a line projected true east-west through the northern tip of Vashon Island.

(11) Area 11 (Tacoma-Vashon Island): From the northern tip of Vashon Island to the Tacoma Narrows Bridge.

(12) Area 12 (Hood Canal): All contiguous waters south of the Hood Canal Bridge and adjacent waters north of the Hood Canal Bridge when fishing from the pontoon beneath the bridge.

(13) Area 13 (South Puget Sound): All contiguous waters south of the Tacoma Narrows Bridge.

[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 § 220-311-010, filed 2/15/17, effective 3/18/17; WSR 16-14-045 (Order 16-160), § 220-56-185, filed 6/28/16, effective 7/29/16. Statutory Authority: RCW 77.12.047. WSR 10-07-105 (Order 10-64), § 220-56-185, filed 3/19/10, effective 5/1/10; WSR 07-05-051 (Order 07-22), § 220-56-185, filed 2/16/07, effective 3/19/07. Statutory Authority: RCW 75.08.080, 77.12.040. WSR 00-08-038 (Order 00-29), § 220-56-185, filed 3/29/00, effective 5/1/00; WSR 99-15-081 (Order 99-102), § 220-56-185, filed 7/20/99, effective 8/20/99; WSR 99-08-029 (Order 99-13), § 220-56-185, filed 3/30/99, effective 5/1/99. Statutory Authority: RCW 75.08.080. WSR 95-04-066 (Order 95-10), § 220-56-185, filed 1/30/95, effective 5/1/95; WSR 91-08-054 (Order 91-13), § 220-56-185, filed 4/2/91, effective 5/3/91; WSR 89-07-060 (Order 89-12), § 220-56-185, filed 3/16/89; WSR 88-10-013 (Order 88-15), § 220-56-185, filed 4/26/88; WSR 85-18-026 (Order 85-111), § 220-56-185, filed 5/27/85; WSR 85-09-017 (Order 85-20), § 220-56-185, filed 4/9/85; WSR 80-03-064 (Order 80-12), § 220-56-185, filed 2/27/80, effective 4/1/80.]

WAC 220-311-020 Puget Sound public fishing piers—Restricted fishing areas. (1) Dash Point Dock public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Dash Point Dock public fishing pier, except while fishing from the Dash Point Dock public fishing pier.

(2) Des Moines public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Des Moines public fishing pier, except while fishing from the Des Moines public fishing pier.

(3) Edmonds public fishing pier:

(a) It is unlawful to take, fish for or possess food fish or shellfish taken from the following waters, except while fishing from the Edmonds public fishing pier: Waters inside a line from a boundary marker on the north breakwater to the southernmost marker buoy, then to the north end of the city of Edmonds public beach.

(b) It is unlawful to take, fish for or possess food fish or shellfish taken by any means from within the boundaries of the underwater artificial reef surrounding the Edmonds public fishing pier as defined in this subsection, except while fishing from the Edmonds public fishing pier. The underwater artificial reef area is defined as waters lying northerly and easterly of the north breakwater of the port of Edmonds marina inside of a line from a boundary marker on the north breakwater, northwesterly 275 feet to a marker buoy, thence northeasterly 1350 feet to a marker buoy, thence southeasterly to the northeastern end of the city of Edmonds public beach.

(4) Elliot Bay public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Elliot Bay public fishing pier, except while fishing from the Elliot Bay public fishing pier.

(5) Les Davis public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Les Davis public fishing pier, except while fishing from the Les Davis public fishing pier.

(6) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested fish. If the person has harvested fish, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

[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 § 220-311-020, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047. WSR 13-20-021 (Order 13-210), § 220-56-136, filed 9/23/13, effective 10/24/13.]

WAC 220-311-030 Statewide saltwater hook rules.

(1) It is unlawful to use more than two hooks to fish in saltwater, except for forage fish jigger gear and squid jig gear, and when fishing from the north jetty of the Columbia River.

(2) It is unlawful to use barbed hooks in Marine Areas 5-13, except for forage fish jigger gear.

(3) It is unlawful to use other than one single-point barbless hook to fish for sturgeon.

(4) It is unlawful to use other than single-point barbless hooks to fish for salmon in Marine Areas 1-13.

(5) It is unlawful to fish for or possess salmon taken with terminal gear hooks in violation of anti-snagging rule in the following saltwater areas during the periods indicated: Budd Inlet waters south of a line projected true west from the KGY radio station to the mainland and north of the closed zone provided for in WAC 220-310-030 - July 16 through October 31.

(6) It is unlawful to use forage fish jig gear, and anti-snagging rule and night closure in effect, in the Duwamish Waterway downstream from the First Avenue South Bridge to an east-west line through Southwest Hanford Street on Harbor Island parallel to Southwest Spokane Street where it crosses Harbor Island - July 1 through October 31.

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

(8) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession

of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

[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 § 220-311-030, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 10-07-105 (Order 10-64), § 220-56-116, filed 3/19/10, effective 5/1/10. Statutory Authority: RCW 77.12.047 and 77.04.020. WSR 09-15-035 (Order 09-133), § 220-56-116, filed 7/8/09, effective 8/8/09; WSR 08-15-002 (Order 08-165), § 220-56-116, filed 7/3/08, effective 8/3/08; WSR 07-16-056, § 220-56-116, filed 7/26/07, effective 8/26/07. Statutory Authority: RCW 77.12.047. WSR 06-09-021 (Order 06-67), § 220-56-116, filed 4/11/06, effective 5/12/06; WSR 06-05-085 (Order 06-23), § 220-56-116, filed 2/14/06, effective 5/1/06; WSR 02-08-048 (Order 02-53), § 220-56-116, filed 3/29/02, effective 5/1/02. Statutory Authority: 2000 c 107 § 7. WSR 00-16-091 (Order 00-134), § 220-56-116, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080. WSR 95-04-066 (Order 95-10), § 220-56-116, filed 1/30/95, effective 5/1/95; WSR 92-11-012 (Order 92-19), § 220-56-116, filed 5/12/92, effective 6/12/92; WSR 89-10-032 (Order 89-26), § 220-56-116, filed 4/27/89; WSR 88-10-012 (Order 88-14), § 220-56-116, filed 4/26/88; WSR 85-09-017 (Order 85-20), § 220-56-116, filed 4/9/85; WSR 83-07-043 (Order 83-16), § 220-56-116, filed 3/17/83; WSR 82-13-040 (Order 82-61), § 220-56-116, filed 6/9/82.]

WAC 220-311-040 Unclassified marine invertebrates and fish. (1) "Unclassified marine invertebrates" and "unclassified marine fish" mean species existing in Washington state marine waters in a wild state that have not been classified as food fish, shellfish, game fish, protected wildlife, or endangered species.

(2) All Marine Areas are closed to the taking of unclassified marine invertebrates and unclassified marine fish.

(3) It is unlawful to take, fish for or possess Pacific lamprey or river lamprey.

(4) Violation of this section is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.-370 Unlawful recreational fishing in the first degree—Penalty.

[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 § 220-311-040, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 10-07-105 (Order 10-64), § 220-56-130, filed 3/19/10, effective 5/1/10; WSR 06-09-021 (Order 06-67), § 220-56-130, filed 4/11/06, effective 5/12/06; WSR 06-05-085 (Order 06-23), § 220-56-130, filed 2/14/06, effective 5/1/06; WSR 05-05-035 (Order 05-15), § 220-56-130, filed 2/10/05, effective 5/1/05. Statutory Authority: RCW 75.08.080, 77.12.040. WSR 00-08-038 (Order 00-29), § 220-56-130, filed 3/29/00, effective 5/1/00. Statutory Authority: RCW 75.08.080. WSR 95-04-066 (Order 95-10), § 220-56-130, filed 1/30/95, effective 5/1/95; WSR 80-03-064 (Order 80-12), § 220-56-130, filed 2/27/80, effective 4/1/80.]

WAC 220-311-050 Shad—Areas and seasons. It is lawful to fish for or possess shad taken for personal use concurrent with a salmon or gamefish opening, except Columbia River waters downstream from Bonneville Dam are closed to shad fishing April 1 through May 15.

[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 § 220-311-050, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 02-08-048 (Order 02-53), § 220-56-285, filed 3/29/02, effective 5/1/02;

WSR 01-06-036 (Order 01-24), § 220-56-285, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 77.12.040 and 75.08.080. WSR 98-06-031, § 220-56-285, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 95-12-027 (Order 95-46), § 220-56-285, filed 5/31/95, effective 7/1/95; WSR 94-14-069, § 220-56-285, filed 7/1/94, effective 8/1/94; WSR 93-08-034 (Order 93-20), § 220-56-285, filed 3/31/93, effective 5/1/93; WSR 92-11-012 (Order 92-19), § 220-56-285, filed 5/12/92, effective 6/12/92; WSR 88-10-012 (Order 88-14), § 220-56-285, filed 4/26/88; WSR 83-07-043 (Order 83-16), § 220-56-285, filed 3/17/83; WSR 82-13-040 (Order 82-61), § 220-56-285, filed 6/9/82; WSR 81-05-027 (Order 81-13), § 220-56-285, filed 2/17/81, effective 4/1/81; WSR 80-03-064 (Order 80-12), § 220-56-285, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-072.]